

H.R. 345: Mr. BEREUTER.
 H.R. 359: Mr. PALLONE, Mr. BARTON of Texas, and Mr. PAYNE of New Jersey.
 H.R. 398: Mr. FIELDS of Louisiana.
 H.R. 399: Mr. McHALE.
 H.R. 462: Mr. EVERETT.
 H.R. 483: Mr. WARD, Mr. WHITFIELD, and Mr. EVERETT.
 H.R. 497: Mr. CALVERT.
 H.R. 526: Mr. WATT of North Carolina and Mr. ROSE.
 H.R. 570: Mr. SHAYS.
 H.R. 645: Mr. MINETA.
 H.R. 649: Mrs. THURMAN.
 H.R. 656: Mr. BLUTE, Mr. FRISA, Mr. CALVERT, Mrs. KELLY, and Mr. FOX.
 H.R. 682: Mr. JACOBS and Mrs. ROUKEMA.
 H.R. 692: Mr. TANNER.
 H.R. 699: Mr. BONO.
 H.R. 708: Mr. MINETA.
 H.R. 744: Mr. GENE GREEN of Texas.
 H.R. 763: Ms. NORTON.
 H.R. 764: Ms. MCKINNEY.
 H.R. 782: Mr. PICKETT, Mr. JONES, Mr. HORN, Mr. RICHARDSON, Mr. COLEMAN, Mr. NEY, Mr. GOODLING, and Mr. FAZIO of California.
 H.R. 789: Mr. ROBERTS and Mr. DUNCAN.
 H.R. 800: Mr. CRAPO.
 H.R. 803: Mr. BAKER of California, Mr. FAZIO of California, Ms. WOOLSEY, Mr. BLUTE, Mrs. MYRICK, Mr. CRAMER, and Ms. HARMAN.
 H.R. 804: Mr. KIM.
 H.R. 820: Mr. BARRETT of Wisconsin, Mr. BROWN of Ohio, Mr. NORWOOD, Mr. CANADY, and Mr. ROSE.
 H.R. 862: Mr. PACKARD.
 H.R. 893: Ms. BROWN of Florida, Mr. LEVIN, and Mr. LIPINSKI.
 H.R. 895: Mr. REED and Mr. HINCHEY.
 H.R. 915: Ms. PELOSI, Mr. YATES, Mr. NADLER, Ms. NORTON, Mr. LEWIS of Georgia, and Mr. TORRICELLI.
 H.R. 927: Mr. ENGEL, Mr. KNOLLENBERG, Mr. WILSON, Mr. FOLEY, and Mr. BARTLETT of Maryland.
 H.R. 942: Mrs. KELLY, Mr. UPTON, Mr. ROHRBACHER, Mr. WYDEN, Mr. BEILSON, Ms. PELOSI, Mr. SHAYS, Mr. FORBES, Mr. HORN, Mr. KILDEE, and Mr. HALL of Ohio.
 H.R. 957: Mr. PETERSON of Florida and Mr. HANCOCK.
 H.R. 972: Mr. HAMILTON.
 H.R. 987: Mr. PETE GEREN of Texas and Mr. MCCREARY.
 H.R. 990: Mrs. THURMAN.
 H.R. 994: Mr. CALVERT, Mr. TANNER, Mr. BENTSEN, Mr. GENE GREEN of Texas, and Mr. JOHNSON of South Dakota.
 H.R. 997: Mr. HILLIARD and Mr. PALLONE.
 H.R. 1002: Mr. CALLAHAN and Mrs. THURMAN.
 H.R. 1003: Mr. WELLER, Mr. THOMPSON, Mr. EMERSON, and Mr. DELLUMS.
 H.R. 1005: Mrs. KELLY and Mr. FUNDERBURK.
 H.R. 1023: Mr. MANTON, Mr. HALL of Ohio, Mr. PETRI, and Mr. BILBRAY.
 H.R. 1061: Mr. HOUGHTON and Mr. HANCOCK.
 H.R. 1076: Mr. TAYLOR of North Carolina, Mr. BAKER of Louisiana, Mr. MORAN, Mrs. CHENOWETH, and Ms. LOFGREN.
 H.R. 1080: Mr. HINCHEY.
 H.R. 1094: Mr. CALVERT, Mr. PETERSON of Florida, Ms. LOWEY, Ms. KAPTUR, Mr. POSHARD, Mr. FOGLIETTA, Mr. WELLER, and Mr. BEREUTER.
 H.R. 1114: Mr. EMERSON, Mr. OXLEY, Mr. HERGER, Mr. MILLER of Florida, and Mr. MANZULLO.
 H.R. 1138: Mr. FLANAGAN, Mr. STUDDS, and Mr. HOSTETTLER.
 H.R. 1162: Mr. BENTSEN, Mr. LUTHER, and Mr. QUINN.
 H.R. 1184: Mr. CRANE, Mr. DOOLITTLE, Mr. MCINNIS, and Mr. NETHERCUTT.
 H.R. 1200: Mr. RUSH and Mr. ACKERMAN.
 H.R. 1233: Mrs. MALONEY, Mr. WILLIAMS, Mr. BARRETT of Wisconsin, Mr. MARTINEZ,

Mr. THORNTON, Mr. KLUG, Mr. BROWN of California, Mr. FOX, and Mr. GEJDENSON.
 H.R. 1234: Mr. MCKEON and Mr. WICKER.
 H.R. 1242: Mr. ROHRBACHER, Mr. PORTMAN, Ms. DUNN of Washington, Mr. LARGENT, Mr. KASICH, Mr. LATOURETTE, Mr. BARRETT of Wisconsin, and Mr. KLUG.
 H.R. 1252: Mrs. THURMAN.
 H.R. 1253: Mrs. MINK of Hawaii, Mr. MATSUI, Mr. ACKERMAN, Mr. MONTGOMERY, Mr. RICHARDSON, Mr. FRANK of Massachusetts, Mr. LEACH, Mr. KLECZKA, Mr. FROST, Mr. MOAKLEY, Mr. LIPINSKI, Mr. DEFazio, Mr. TORRES, Mr. ABERCROMBIE, Mr. BERMAN, Mr. BROWN of California, Mrs. SCHROEDER, Mr. JACOBS, Mr. HINCHEY, Mr. ROEMER, Mr. BONIOR, and Mr. STOKES.
 H.R. 1259: Mr. FROST, Mr. HAYES, Mr. UNDERWOOD, Mr. DELLUMS, Mr. HANSEN, Mr. RADANOVICH, and Mr. BROWN of California.
 H.R. 1274: Mr. RUSH and Mr. PALLONE.
 H.R. 1302: Mr. LAFALCE, Mr. WILLIAMS, Mr. THORNTON, Mr. GEJDENSON, and Mr. SAWYER.
 H.R. 1323: Mr. BACHUS.
 H.R. 1326: Mr. TRAFICANT and Mr. CLINGER.
 H.R. 1328: Mr. LIPINSKI and Mr. CLINGER.
 H.R. 1391: Mr. THOMAS and Mr. BILIRAKIS.
 H. Con. Res. 12: Mr. ARMEY.
 H. Con. Res. 47: Mr. BAKER of California, Mr. BROWN of Ohio, Mr. DELLUMS, Mr. DREIER, Ms. ESHOO, Mr. EVANS, Mr. FRANK of Massachusetts, Mr. FRANKS of New Jersey, Mr. HORN, Mr. KILDEE, Mr. KNOLLENBERG, Mr. LEVIN, Mr. MARKEY, Mr. MARTINEZ, Mr. MCHUGH, Mr. MOORHEAD, Mr. RADANOVICH, Mr. REED, Mrs. ROUKEMA, Ms. ROYBAL-ALLARD, Mr. SOUDER, Mr. STOKES, Mr. TORRES, Mr. UNDERWOOD, and Mr. WAXMAN.
 H. Con. Res. 50: Mr. CALVERT and Mrs. MORELLA.
 H. Con. Res. 53: Mr. MARTINEZ, Mr. ANDREWS, and Mr. BERMAN.
 H. Res. 98: Mr. HINCHEY and Ms. MCKINNEY.
 H. Res. 99: Mr. HOYER.
 H. Res. 124: Mrs. MORELLA, Mr. BROWN of California, and Mr. RUSH.

THURSDAY, APRIL 6, 1995 (57)

¶57.1 DESIGNATION OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. INGLIS, who laid before the House the following communication:

WASHINGTON, DC,
April 6, 1995.

I hereby designate the Honorable BOB INGLIS to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

¶57.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. INGLIS, announced he had examined and approved the Journal of the proceedings of Wednesday, April 5, 1995.

Pursuant to clause 1, rule I, the Journal was approved.

¶57.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

689. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting the Department's defense manpower requirements report for fiscal year 1996, pursuant to 10 U.S.C. 115(b)(3)(A); to the Committee on National Security.

690. A letter from the Chairman, National Research Council, transmitting a study of live-fire survivability testing of the F-22 aircraft; to the Committee on National Security.

691. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report of activities under the Freedom of Information Act for calendar year 1994, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

692. A letter from the President, Overseas Private Investment Corporation, transmitting the fiscal year 1994 management report, pursuant to Public Law 101-576, section 306(a) (104 Stat. 2854); to the Committee on Government Reform and Oversight.

693. A letter from the Acting Assistant Secretary for Civil Works, Department of the Army, transmitting a report recommending authorization of a deep-draft navigation project at Salem River, NJ; to the Committee on Transportation and Infrastructure.

694. A letter from the Senior Vice President, Tennessee Valley Authority; transmitting a copy of the Authority's statistical summaries as part of their annual report for the fiscal year beginning October 1, 1993, and ending September 30, 1994, pursuant to 16 U.S.C. 831h(a); to the Committee on Transportation and Infrastructure.

695. A letter from the Chairman of the Board, Pension Benefit Guaranty Corporation, transmitting the 20th annual report of the Corporation, which includes the Corporation's financial statement as of September 30, 1994, pursuant to 29 U.S.C. 1308; jointly, to the Committees on Economic and Educational Opportunities and Ways and Means.

696. A letter from the Chief Counsel for Advocacy, U.S. Small Business Administration, transmitting an analysis of the impact on small businesses of the "Contract With America Tax Reform Act of 1995"; jointly, to the Committees on Small Business and Ways and Means.

¶57.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 244) "An Act to further the goals of the Paperwork Reduction Act to have Federal agencies become more responsible and publicly accountable for reducing the burden of Federal paperwork on the public, and for other purposes."

¶57.5 SUBPOENA

The SPEAKER pro tempore, Mr. INGLIS, laid before the House a communication, which was read as follows:
 APRIL 5, 1995.

Hon. NEWT GINGRICH,
Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule L (50) of the Rules of the House that my office has received a subpoena issued by the Municipal Court of Manville, New Jersey.

After consultation with the General Counsel, I have determined that compliance with the subpoena is not consistent with the privileges and precedents of the House.

Sincerely,
 BOB FRANKS,
Congressman.

¶57.6 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT ON H.R. 889

Mr. DREIER, by direction of the Committee on Rules, called up the following resolution (H. Res. 129):

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 889) making emergency supplemental appropriations and rescissions to preserve and enhance the military readiness of the Department of Defense for the fiscal year ending September 30, 1995, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

When said resolution was considered. After debate,

On motion of Mr. DREIER, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

157.7 DEFENSE SUPPLEMENTAL APPROPRIATIONS

Mr. LIVINGSTON, pursuant to House Resolution 129, called up the following conference report (Rept. No. 104-101):

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 889) "making emergency supplemental appropriations and rescissions to preserve and enhance the military readiness of the Department of Defense for the fiscal year ending September 30, 1995, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4,6,7,8,10, 20, 22, and 25.

That the House recede from its disagreement to the amendments of the Senate numbered 16 and 23, and agree to the same.

Amendment numbered 1:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:
That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to provide emergency supplemental appropriations for the Department of Defense to preserve and enhance military readiness for the fiscal year ending September 30, 1995, and for other purposes, namely:

TITLE I CHAPTER I

EMERGENCY SUPPLEMENTAL APPROPRIATIONS

DEPARTMENT OF DEFENSE—MILITARY MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for "Military Personnel, Army," \$260,700,000: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MILITARY PERSONNEL, NAVY

For an additional amount for "Military Personnel, Navy," \$183,100,000: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for "Military Personnel, Marine Corps," \$25,200,000: Provided,

That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for "Military Personnel, Air Force," \$207,100,000: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RESERVE PERSONNEL, ARMY

For an additional amount for "Reserve Personnel, Army," \$6,500,000: That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RESERVE PERSONNEL, NAVY

For an additional amount for "Reserve Personnel, Navy," \$9,600,000: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for "Reserve Personnel, Marine Corps," \$1,300,000: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for "Reserve Personnel, Air Force," \$2,800,000: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for "National Guard Personnel, Army," \$11,000,000: That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for "National Guard Personnel, Air Force," \$5,000,000: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for "Operation and Maintenance, Army," \$936,600,000: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for "Operation and Maintenance, Navy," \$423,700,000: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for "Operation and Maintenance, Marine Corps," \$33,500,000: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget

and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for "Operation and Maintenance, Air Force," \$852,500,000: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for "Operation and Maintenance, Defense-Wide," \$46,200,000: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for "Operation and Maintenance, Navy Reserve," \$15,400,000: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

PROCUREMENT

OTHER PROCUREMENT, ARMY

For an additional amount for "Other Procurement, Army," \$8,300,000, to remain available until September 30, 1997: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for "Defense Health Program," \$13,200,000: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

CHAPTER II

RESCINDING CERTAIN BUDGET AUTHORITY

DEPARTMENT OF DEFENSE—MILITARY

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, NAVY

(RESCISSION)

Of the funds made available under this heading in Public Law 103-335, \$2,000,000 are rescinded.

OPERATION AND MAINTENANCE, AIR FORCE

(RESCISSION)

Of the funds made available under this heading in Public Law 103-335, \$2,000,000 are rescinded.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(RESCISSION)

Of the funds made available under this heading in Public Law 103-335, \$68,800,000 are rescinded.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

(RESCISSION)

Of the funds made available under this heading in Public Law 103-335, \$15,400,000 are rescinded.

OPERATION AND MAINTENANCE, ARMY RESERVE

(RESCISSION)

Of the funds made available under this heading in Public Law 103-335, \$6,200,000 are rescinded.

ENVIRONMENTAL RESTORATION, DEFENSE
(RESCISSION)

Of the funds made available under this heading in Public Law 103-335, \$300,000,000 are rescinded.

FORMER SOVIET UNION THREAT REDUCTION
(RESCISSION)

Of the funds made available under this heading in Public Law 103-335, \$20,000,000 are rescinded.

PROCUREMENT
AIRCRAFT PROCUREMENT, ARMY
(RESCISSION)

Of the funds made available under this heading in Public Law 103-335, \$34,411,000 are rescinded.

PROCUREMENT OF AMMUNITION, ARMY
(RESCISSIONS)

Of the funds made available under this heading in Public Law 102-396, \$85,000,000 are rescinded.

Of the funds made available under this heading in Public Law 103-335, \$55,900,000 are rescinded.

OTHER PROCUREMENT, ARMY
(RESCISSION)

Of the funds made available under this heading in Public Law 103-335, \$32,100,000 are rescinded.

AIRCRAFT PROCUREMENT, AIR FORCE
(RESCISSIONS AND TRANSFER)

Of the funds made available under this heading in Public Law 102-396, \$100,000,000 are rescinded.

Of the funds made available under this heading in Public Law 103-335, \$27,500,000 are rescinded.

Of the funds made available under this heading in Public Law 103-335, \$23,500,000 are hereby transferred and made available for obligation to Operation and Maintenance, Air Force.

MISSILE PROCUREMENT, AIR FORCE
(RESCISSIONS)

Of the funds made available under this heading in Public Law 102-396, \$33,000,000 are rescinded.

Of the funds made available under this heading in Public Law 103-139, \$99,000,000 are rescinded.

Of the funds made available under this heading in Public Law 103-335, \$89,500,000 are rescinded.

OTHER PROCUREMENT, AIR FORCE
(RESCISSION)

Of the funds made available under this heading in Public Law 103-335, \$6,100,000 are rescinded.

PROCUREMENT, DEFENSE-WIDE
(RESCISSION)

Of the funds made available under this heading in Public Law 103-335, \$32,000,000 are rescinded.

NATIONAL GUARD AND RESERVE EQUIPMENT
(RESCISSION)

Of the funds made available under this heading in Public Law 103-335, \$30,000,000 are rescinded.

DEFENSE PRODUCTION ACT PURCHASES
(RESCISSION)

Of the funds made available under this heading in Public Law 103-139, \$100,000,000 are rescinded.

RESEARCH, DEVELOPMENT, TEST AND
EVALUATION

RESEARCH, DEVELOPMENT, TEST AND
EVALUATION, ARMY
(RESCISSIONS)

Of the funds made available under this heading in Public Law 103-139, \$5,000,000 are rescinded.

Of the funds made available under this heading in Public Law 103-335, \$43,000,000 are rescinded.

RESEARCH, DEVELOPMENT, TEST AND
EVALUATION, NAVY
(RESCISSION)

Of the funds made available under this heading in Public Law 103-335, \$68,800,000 are rescinded.

RESEARCH, DEVELOPMENT, TEST AND
EVALUATION, AIR FORCE
(RESCISSIONS)

Of the funds made available under this heading in Public Law 103-139, \$49,600,000 are rescinded.

Of the funds made available under this heading in Public Law 103-335, \$191,200,000 are rescinded.

RESEARCH, DEVELOPMENT, TEST AND
EVALUATION, DEFENSE-WIDE
(RESCISSIONS)

Of the funds made available under this heading in Public Law 103-139, \$77,000,000 are rescinded.

Of the funds made available under this heading in Public Law 103-335, \$436,445,000 are rescinded.

RELATED AGENCIES

NATIONAL SECURITY EDUCATION TRUST FUND
(RESCISSION)

Of the funds made available under this heading in Public Law 102-172, \$75,000,000 are rescinded.

CHAPTER III
GENERAL PROVISIONS

SEC. 101. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 102. Notwithstanding sections 607 and 630 of the Foreign Assistance Act of 1961 (22 U.S.C. 2357, 2390) and sections 2608 and 2350j of title 10, United States Code, all funds received by the United States as reimbursement for expenses for which funds are provided in this Act shall be deposited in the Treasury as miscellaneous receipts.

SEC. 103. During the current fiscal year, appropriations available to the Department of Defense for the pay of civilian personnel may be used, without regard to the time limitations specified in section 5523(a) of title 5, United States Code, for payments under the provisions of section 5523 of title 5, United States Code, in the case of employees, or an employee's dependents or immediate family, evacuated from Guantanamo Bay, Cuba, pursuant to the August 26, 1994 order of the Secretary of Defense. This section shall take effect as of March 5, 1995, and shall apply with respect to any payment made on or after that date.

(INCLUDING TRANSFER OF FUNDS)

SEC. 104. In addition to amounts appropriated or otherwise made available by this Act, \$28,297,000 is hereby appropriated to the Department of Defense and shall be available only for transfer to the United States Coast Guard to cover the incremental operating costs associated with Operations Able Manner, Able Vigil, Restore Democracy, and Support Democracy: Provided, that such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

SEC. 105. (a) Section 8106A of the Department of Defense Appropriations Act, 1995 (Public Law 103-335), is amended by striking out the last proviso and inserting in lieu thereof the following: "Provided further, That if, after September 30, 1994, a member of the Armed Forces (other than the Coast Guard) is approved for release from active duty or full-time National Guard duty and that person subsequently becomes employed in a position of civilian employment in the Department of Defense within 180 days after the release from active duty or full-time National Guard duty, than that person is prohibited from

receiving payments under a Special Separation Benefits program (under section 1174a of title 10, United States Code) or a Voluntary Separation Incentive program (under section 1175 of title 10, United States Code) by reason of the release from active duty or full-time National Guard duty, and the person shall reimburse the United States the total amount, if any, paid such person under the program before the employment begins".

(b) Appropriations available to the Department of Defense for fiscal year 1995 may be obligated for making payments under sections 1174a and 1175 of title 10, United States Code.

(c) The amendment made by subsection (a) shall be effective as of September 30, 1994.

SEC. 106. (a) Subsection 8054(g) of the Department of Defense Appropriations Act, 1995 (Public Law 103-335), is amended to read as follows: "Notwithstanding any other provision of law, of the amounts available to the Department of Defense during fiscal year 1995, not more than \$1,252,650,000 may be obligated for financing activities of defense FFRDCs: Provided, That, in addition to any other reductions required by this section, the total amounts appropriated in titles II, III, and IV of this Act are hereby reduced by \$250,000,000 to reflect the funding ceiling contained in this subsection and to reflect further reductions in amounts available to the Department of Defense to finance activities carried out by defense FFRDCs and other entities providing consulting services, studies and analyses, systems engineering and technical assistance, and technical, engineering and management support."

(b) Subsection 8054(h) of the Department of Defense Appropriations Act, 1995 (Public Law 103-335), is amended to read as follows: "The total amounts appropriated to or for the use of the Department of Defense in titles II, III, and IV of this Act are reduced by an additional \$251,534,000 to reflect savings from the decreased use of non-FFRDC consulting services by the Department of Defense."

(c) Not later than 60 days after enactment of this Act, the Under Secretary of Defense (Comptroller) shall report to the Committees on Appropriations of the Senate and the House of Representatives as to the total, separate amounts of appropriations provided, by title and by appropriations account, in titles II, III, and IV of the Department of Defense Appropriations Act, 1995 (Public Law 103-335), as amended.

SEC. 107. Within sixty days of the enactment of this Act, the President shall submit to Congress a report which shall include the following:

(a) A detailed description of the estimated cumulative incremental cost of all United States activities subsequent to September 30, 1993, in and around Haiti, including but not limited to—

(1) the cost of all deployments of United States Armed Forces and Coast Guard personnel, training, exercises, mobilization, and preparation activities, including the preparation of police and military units of the other nations of the multinational force involved in enforcement of sanctions, limits on migration, establishment and maintenance of migrant facilities at Guantanamo Bay and elsewhere, and all other activities relating to operations in and around Haiti; and

(2) the costs of all other activities relating to United States policy toward Haiti, including humanitarian and development assistance, reconstruction, balance of payments and economic support, assistance provided to reduce or eliminate all arrearages owed to International Financial Institutions, all rescheduling or forgiveness of United States bilateral and multilateral debt, aid and other financial assistance, all in-kind contributions, and all other costs to the United States Government.

(b) A detailed accounting of the source of funds obligated or expended to meet the costs described in paragraph (a), including—

(1) in the case of funds expended from the Department of Defense budget, a breakdown by military service or defense agency, line item and program; and

(2) in the case of funds expended from the budgets of departments and agencies other than the Department of Defense, by department or agency and program.

SEC. 108. None of the funds appropriated to the Department of Defense for the Technology Reinvestment Program under Public Law 130-335 shall be obligated for any new projects for which a selection has not been made until the Under Secretary of Defense for Acquisition and Technology certifies to the Congress that military officers and civilian employees of the military departments constitute a majority of the membership on each review panel at every proposal evaluation step for the Technology Reinvestment Program: Provided, That the Under Secretary of Defense for Acquisition and Technology shall submit to the Congress a report describing each new Technology Reinvestment Program project or award and the military needs which the project addresses.

SEC. 109. None of the funds appropriated or otherwise made available by this Act may be obligated or expended for assistance to or programs in the Democratic People's Republic of Korea, or for implementation of the October 21, 1994, Agreed Framework between the United States and the Democratic People's Republic of Korea, unless specifically appropriated for that purpose.

And the Senate agree to the same.

Amendment numbered 2:

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows:

In lieu of the matter inserted by said amendment, insert:

SEC. 110. During the current fiscal year, none of the funds available to the Department of Defense for emergency and extraordinary expenses may be obligated or expended in an amount of \$1,000,000 or more for any single transaction without prior notification to the Committees on Appropriations of the Senate and House of Representatives, the Senate Armed Services Committee, and the House National Security Committee.

And the Senate agree to the same.

Amendment numbered 3:

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows:

In lieu of "Sec. 112" named in said amendment, insert: Sec. 111; and the Senate agree to the same.

Amendment numbered 5:

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows:

In lieu of the matter inserted by said amendment, insert:

DEPARTMENT OF DEFENSE—MILITARY CONSTRUCTION

SEC. 112. None of the funds made available to the Department of Defense for any fiscal year for military construction or family housing may be obligated to initiate construction projects upon enactment of this Act for any project on an installation that—

(1) was included in the closure and realignment recommendations submitted by the Secretary of Defense to the Base Closure and Realignment Commission on February 28, 1995, unless removed by the Base Closure and Realignment Commission, or

(2) is included in the closure and realignment recommendation as submitted to Congress in 1995 in accordance with the Defense Base Closure and Realignment Act of 1990, as amended (P.L. 101-510):

Provided, That the prohibition on obligation of funds for projects located on an installation cited for realignment are only to be in effect if the function or activity with which the project is associated will be transferred from the instal-

lation as a result of the realignment: Provided further, That this provision will remain in effect unless the Congress enacts a Joint Resolution of Disapproval in accordance with the Defense Base Closure and Realignment Act of 1990, as amended (P.L. 101-510).

(RESCISSIONS)

SEC. 113. Of the funds appropriated under Public Law 103-307, the following funds are hereby rescinded from the following accounts in the specified amounts:

Military Construction, Army, \$3,500,000;

Military Construction, Navy, \$3,500,000;

Military Construction, Air Force, \$3,500,000;

North Atlantic Treaty Organization Infrastructure, \$33,000,000;

Base Realignment and Closure Account, Part III, \$32,000,000.

Of the funds appropriated under Public Law 102-136, the following funds are hereby rescinded from the following account in the specified amount:

Military Construction, Naval Reserve, \$25,100,000.

And the Senate agree to the same.

Amendment numbered 9:

That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows:

In lieu of the matter inserted by said amendment, insert:

SEC. 114. The Secretary of Defense shall not allocate a rescission to any military installation that the Secretary recommends for closure or realignment in 1995 under section 2903(c) of the Defense Base Closure and Realignment Act of 1990 (subtitle A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) in an amount in excess of the proportionate share for each installation for the current fiscal year of the funds rescinded from "Environmental Restoration, Defense" by this Act.

SEC. 115. Funds in the amount of \$76,900,000 received during fiscal years 1994 and 1995 by the Department of the Air Force pursuant to the "Memorandum of Agreement between the National Aeronautics and Space Administration and the United States Air Force on Titan IV/Centaur Launch Support for the Cassini Mission," signed September 8, 1994, and September 23, 1994, and Attachments A, B, and C to that Memorandum, shall be merged with appropriations available for research, development, test and evaluation and procurement for fiscal years 1994 and 1995, and shall be available for the same time period as the appropriation with which merged, and shall be available for obligation only for those Titan IV vehicles and Titan IV-related activities under contract as of the date of enactment of this Act.

SEC. 116. Section 8025 of the Department of Defense Appropriations Act, 1995 (Public Law 103-335), is amended by striking out the amount "\$203,736,000" and inserting in lieu thereof "\$170,036,000".

SEC. 117. In addition to the rescissions made elsewhere in this Act, on September 15, 1995, \$100,000,000 shall be rescinded from appropriations under title III of the Department of Defense Appropriations Act, 1993 (Public Law 102-396).

And the Senate agree to the same.

Amendment numbered 11:

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

CHAPTER IV

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES

DEPARTMENT OF TRANSPORTATION

FEDERAL RAILROAD ADMINISTRATION

GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

For an additional amount to enable the Secretary of Transportation to make a grant to the

National Railroad Passenger Corporation, \$21,500,000 is hereby appropriated which shall be available until expended for capital improvements associated with safety-related emergency repairs at the existing Pennsylvania Station in New York City: Provided, That none of the funds herein appropriated shall be used for the redevelopment of the James A. Farley Post Office Building in New York City as a train station and commercial center: Provided further, That the \$21,500,000 shall be considered part of the Federal cost share for the redevelopment of the James A. Farley Post Office Building, if authorized.

TITLE II

And the Senate agree to the same.

Amendment numbered 12:

That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and the matter inserted by said amendment, insert:

DEPARTMENT OF JUSTICE

IMMIGRATION AND NATURALIZATION SERVICE

IMMIGRATION EMERGENCY FUND

(RESCISSION)

Of the amounts made available under this heading in Public Law 103-317, \$45,000,000 are rescinded.

DEPARTMENT OF COMMERCE

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

INDUSTRIAL TECHNOLOGY SERVICES

(RESCISSION)

Of the amounts made available under this heading in public Law 103-317 for the Advanced Technology Program, \$90,000,000 are rescinded.

NATIONAL TELECOMMUNICATIONS AND

INFORMATION ADMINISTRATION

INFORMATION INFRASTRUCTURE GRANTS

(RESCISSION)

Of the amounts made available under this heading in Public Law 103-317, \$15,000,000 are rescinded.

RELATED AGENCIES

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 103-317 for tree-planting grants pursuant to section 24 of the Small Business Act, as amended, \$15,000,000 are rescinded.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

(RESCISSION)

Of the funds made available under this heading in Public Law 103-317 for payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, as amended, \$15,000,000 are rescinded.

And the Senate agree to the same.

Amendment numbered 13:

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows:

Retain the matter inserted by said amendment, amended as follows:

Insert the following heading at the beginning of said amendment:

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

And on line 17, page 17 of the House of Representatives engrossed bill, H.R. 889, delete "\$100,000,000" and insert in lieu thereof "\$200,000,000; and the Senate agree to the same.

Amendment numbered 14:

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows:

In lieu of the sum named in said amendment insert: *\$60,000,000*; and the Senate agree to the same.

Amendment numbered 15:

That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

DEVELOPMENT ASSISTANCE FUND

(RESCISSION)

Of the funds made available under this heading in Public Law 103-306 and prior appropriations Acts, \$12,500,000 are rescinded.

ASSISTANCE FOR THE NEW INDEPENDENT STATES OF THE FORMER SOVIET UNION

(RESCISSION)

Of the funds made available under this heading in Public Law 103-87 and Public Law 103-306, \$7,500,000 are rescinded.

Of the funds made available under this heading in Public Law 103-87 for support of an officer resettlement program in Russia as described in section 560(a)(5), \$15,000,000 shall be allocated to other economic assistance and for related programs for the New Independent States of the Former Soviet Union notwithstanding the allocations provided in section 560 of said Act: Provided, That such funds shall not be available for assistance to Russia.

And the Senate agree to the same.

Amendment numbered 17:

That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

SCHOOL IMPROVEMENT PROGRAMS

(RESCISSION)

Of the funds made available under this heading in Public Law 103-333 for new education infrastructure improvement grants, \$65,000,000 are rescinded.

STUDENT FINANCIAL ASSISTANCE

(RESCISSION)

Of the funds made available under this heading in Public Law 103-112, \$35,000,000 made available for title IV, part A, subpart 1 of the Higher Education Act are rescinded.

And the Senate agree to the same.

Amendment numbered 18:

That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

FEDERAL AVIATION ADMINISTRATION

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSION)

Of the available balances under this heading that remain unobligated for the "advanced automation system", \$35,000,000 are rescinded.

FEDERAL HIGHWAY ADMINISTRATION

MISCELLANEOUS HIGHWAY DEMONSTRATION PROJECTS

(HIGHWAY TRUST FUND)

(RESCISSION)

Of the available appropriated balances provided in Public Law 93-87; Public Law 98-8; Public Law 98-473; and Public Law 100-71, \$12,004,450 are rescinded.

And the Senate agree to the same.

Amendment numbered 19:

That the House recede from its disagreement to the amendment of the Senate num-

bered 19, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended as follows:

In lieu of the sum named in said amendment insert: *\$6,563,000*; and the Senate agree to the same.

Amendment numbered 21:

That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment to read as follows:

INDEPENDENT AGENCIES

ENVIRONMENTAL PROTECTION AGENCY

ADMINISTRATIVE PROVISION

The Congress finds that the 1990 amendments to the Clean Air Act (Public Law 101-549) superseded prior requirements of the Clean Air Act regarding the demonstration of attainment of national ambient air quality standards for the South Coast, Ventura, and Sacramento areas of California and thus eliminated the obligation of the Administrator of the Environmental Protection Agency to promulgate a Federal implementation plan under section 110(e) of the Clean Air Act for those areas. Upon the enactment of this Act, any Federal implementation plan that has been promulgated by the Administrator of the Environmental Protection Agency under the Clean Air Act for the South Coast, Ventura, or Sacramento areas of California pursuant to a court order or settlement shall be rescinded and shall have no further force and effect.

NATIONAL AERONAUTICS AND SPACE

ADMINISTRATION

NATIONAL AERONAUTICAL FACILITIES

Public Law 103-327 is amended in the paragraph under this heading by striking "March 31, 1997" and all that follows, and inserting in lieu thereof, "September 30, 1997: Provided, That not to exceed \$35,000,000 shall be available for obligation prior to October 1, 1996."

And the Senate agree to the same.

Amendment numbered 24:

That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment insert:

TITLE IV—MEXICAN DEBT DISCLOSURE ACT OF 1995

SEC. 401. SHORT TITLE.

This title may be cited as the "Mexican Debt Disclosure Act of 1995".

SEC. 402. FINDINGS.

The Congress finds that—

(1) Mexico is an important neighbor and trading partner of the United States;

(2) on January 31, 1995, the President approved a program of assistance to Mexico, in the form of swap facilities and securities guarantees in the amount of \$20,000,000,000, using the exchange stabilization fund;

(3) the program of assistance involves the participation of the Board of Governors of the Federal Reserve System, the International Monetary Fund, the Bank for International Settlements, the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Bank of Canada, and several Latin America countries;

(4) the involvement of the exchange stabilization fund and the Board of Governors of the Federal Reserve System means that United States taxpayer funds will be used in the assistance effort to Mexico;

(5) assistance provided by the International Monetary Fund, the International Bank for Reconstruction and Development, and the Inter-American Development Bank may require additional United States contributions of taxpayer funds to those entities;

(6) the immediate use of taxpayer funds and the potential requirement for additional future

United States contributions of taxpayer funds necessitates congressional oversight of the disbursement of funds; and

(7) the efficacy of the assistance to Mexico is contingent on the pursuit of sound economic policy by the Government of Mexico.

SEC. 403. PRESIDENTIAL REPORTS.

(a) REPORTING REQUIREMENT.—Not later than June 30, 1995, and every 6 months thereafter, the President shall transmit to the appropriate congressional committees a report concerning all guarantees issued to, and short-term and long-term currency swaps with, the Government of Mexico by the United States Government, including the Board of Governors of the Federal Reserve System.

(b) CONTENTS OF REPORTS.—Each report described in subsection (a) shall contain a description of the following actions taken, or economic situations existing, during the preceding 6-month period or, in the case of the initial report, during the period beginning on the date of enactment of this Act:

(1) Changes in wage, price, and credit controls in the Mexican economy.

(2) Changes in taxation policy of the Government of Mexico.

(3) Specific actions taken by the Government of Mexico to further privatize the economy of Mexico.

(4) Actions taken by the Government of Mexico in the development of regulatory policy that significantly affected the performance of the Mexican economy.

(5) Consultations concerning the program approved by the President, including advice on economic, monetary, and fiscal policy, held between the Government of Mexico and the Secretary of the Treasury (including any designee of the Secretary) and the conclusions resulting from any periodic reviews undertaken by the International Monetary Fund pursuant to the Fund's loan agreements with Mexico.

(6) All outstanding loans, credits, and guarantees provided to the Government of Mexico, by the United States Government, including the Board of Governors of the Federal Reserve System, set forth by category of financing.

(7) The progress the Government of Mexico has made in stabilizing the peso and establishing an independent central bank or currency board.

(c) SUMMARY OF TREASURY DEPARTMENT REPORTS.—In addition to the information required to be included under subsection (b), each report required under this section shall contain a summary of the information contained in all reports submitted under section 404 during the period covered by the report required under this section.

SEC. 404. REPORTS BY THE SECRETARY OF THE TREASURY.

(a) REPORTING REQUIREMENT.—Beginning on the last day of the first month which begins after the date of enactment of this Act, and on the last day of every month thereafter, the Secretary of the Treasury shall submit to the appropriate congressional committees a report concerning all guarantees issued to, and short-term and long-term currency swaps with, the Government of Mexico by the United States Government, including the Board of Governors of the Federal Reserve System.

(b) CONTENTS OF REPORTS.—Each report described in subsection (a) shall include a description of the following actions taken, or economic situations existing, during the month in which the report is required to be submitted:

(1) The current condition of the Mexican economy.

(2) The reserve positions of the central bank of Mexico and data relating to the functioning of Mexico monetary policy.

(3) The amount of any funds disbursed from the exchange stabilization fund pursuant to the program of assistance to the Government of Mexico approved by the President on January 31, 1995.

(4) The amount of any funds disbursed by the Board of Governors of the Federal Reserve System pursuant to the program of assistance referred to in paragraph (3).

(5) Financial transactions, both inside and outside of Mexico, made during the reporting period involving funds disbursed to Mexico from the exchange stabilization fund or proceeds of Mexican Government securities guaranteed by the exchange stabilization fund.

(6) All outstanding guarantees issued to, and short-term and medium-term currency swaps with, the Government of Mexico by the Secretary of the Treasury, set forth by category of financing.

(7) All outstanding currency swaps with the central bank of Mexico by the Board of Governors of the Federal Reserve System and the rationale for, and any expected costs of, such transactions.

(8) The amount of payments made by customers of Mexican petroleum companies that have been deposited in the account at the Federal Reserve Bank of New York established to ensure repayment of any payment by the United States Government, including the Board of Governors of the Federal Reserve System, in connection with any guarantee issued to, or any swap with, the Government of Mexico.

(9) Any setoff by the Federal Reserve Bank of New York against funds in the account described in paragraph (8).

(10) To the extent such information is available, once there has been a setoff by the Federal Reserve Bank of New York, any interruption in deliveries of petroleum products to existing customers whose payments were setoff.

(11) The interest rates and fees charged to compensate the Secretary of the Treasury for the risk of providing financing.

SEC. 405. TERMINATION OF REPORTING REQUIREMENTS.

The requirements of sections 403 and 404 shall terminate on the date that the Government of Mexico has paid all obligations with respect to swap facilities and guarantees of securities made available under the program approved by the President on January 31, 1995.

SEC. 406. PRESIDENTIAL CERTIFICATION REGARDING SWAP OF CURRENCIES TO MEXICO THROUGH EXCHANGE STABILIZATION FUND OR FEDERAL RESERVE.

(a) IN GENERAL.—Notwithstanding any other provision of law, no loan, credit, guarantee, or arrangement for a swap of currencies to Mexico through the exchange stabilization fund or by the Board of Governors of the Federal Reserve System may be extended or (if already extended) further utilized, unless and until the President submits to the appropriate congressional committees a certification that—

(1) there is no projected cost (as defined in the Credit Reform Act of 1990) to the United States from the proposed loan, credit, guarantee, or currency swap;

(2) all loans, credits, guarantees, and currency swaps are adequately backed to ensure that all United States funds are repaid;

(3) the Government of Mexico is making progress in ensuring an independent central bank or an independent currency control mechanism;

(4) Mexico has in effect a significant economic reform effort; and

(5) the President has provided the documents described in paragraphs (1) through (28) of House Resolution 80, adopted March 1, 1995.

(b) TREATMENT OF CLASSIFIED OR PRIVILEGED MATERIAL.—For purposes of the certification required by subsection (a)(5), the President shall specify, in the case of any document that is classified or subject to applicable privileges, that, while such document may not have been produced to the House of Representatives, in lieu thereof it has been produced to specified Members of Congress or their designees by natural agreement among the President, the Speaker of the House, and the chairmen and ranking

members of the Committee on Banking and Financial Services, the Committee on International Relations, and the Permanent Select Committee on Intelligence of the House.

SEC. 407. DEFINITIONS.

For purposes of this title, the following definitions shall apply:

(1) APPROPRIATE CONGRESSIONAL COMMITTEE.—The term “appropriate congressional committees” means the Committees on International Relations and Banking and Financial Services of the House of Representatives, the Committees on Foreign Relations and Banking, Housing and Urban Affairs of the Senate, and the Committees on Appropriations of the House of Representatives and the Senate.

(2) EXCHANGE STABILIZATION FUND.—The term “exchange stabilization fund” means the stabilization fund referred to in section 5302(a)(1) of title 31, United States Code.

That the Senate recede from its amendment to the title of the bill.

For consideration of Senate amendments numbered 3, 5, 6, 7, and 10 thru 25, and the Senate amendment to the title of the bill:

BOB LIVINGSTON,
JOHN MYERS,
BILL YOUNG,
RALPH REGULA,
JERRY LEWIS,
JOHN EDWARD PORTER,
HAROLD ROGERS,
FRANK R. WOLF,
BARBARA F. VUCANOVICH,
SONNY CALLAHAN,
CHARLES WILSON,
ALAN MOLLOHAN,

For consideration of Senate amendments numbered 1, 2, 4, 8, and 9:

BILL YOUNG,
JOE MCDADE,
BOB LIVINGSTON,
JERRY LEWIS,
JOE SKEEN,
DAVE HOBSON,
HENRY BONILLA,
GEORGE R. NETHERCUTT,
Jr.,
MARK NEUMANN,
JOHN P. MURTHA,
NORMAN DICKS,
CHARLES WILSON,
W.G. BILL HEFNER,

Except Ament. No. 1 re: ELF;

MARTIN OLAV SABO,
Managers on the Part of the House.

MARK O. HATFIELD,
TED STEVENS,
THAD COCHRAN,
ARLEN SPECTER,
PETER V. DOMENICI,
PHIL GRAMM,
KIT BOND,
SLADE GORTON,
MITCH MCCONNELL,
CONRAD BURNS,
ROBERT BYRD,
DANIEL K. INOUE,
ERNEST F. HOLLINGS,
J. BENNETT JOHNSTON,
PATRICK J. LEAHY,
FRANK R. LAUTENBERG,
BARBARA A. MIKULSKI,
HARRY REID,

Managers on the Part of the Senate.

When said conference report was considered.

After debate,
By unanimous consent, the previous question was ordered on the conference report to its adoption or rejection.

The question being put,
Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. HASTINGS of Washington, announced

that pursuant to clause 7 of rule XV the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the } Yeas 343
affirmative } Nays 80

57.8

[Roll No. 296]

YEAS—343

Abercrombie	Dreier	LaFalce
Ackerman	Dunn	LaHood
Allard	Durbin	Lantos
Andrews	Edwards	Largent
Archer	Ehrlich	Latham
Army	Emerson	LaTourette
Bachus	Engel	Laughlin
Baessler	English	Lazio
Baker (CA)	Ensign	Leach
Baker (LA)	Eshoo	Levin
Baldacci	Everett	Lewis (CA)
Ballenger	Ewing	Lewis (KY)
Barcia	Farr	Lightfoot
Barr	Fawell	Linder
Barrett (NE)	Fazio	Livingston
Bartlett	Fields (TX)	LoBiondo
Barton	Flake	Longley
Bass	Flanagan	Lowe
Bateman	Foley	Lucas
Beilenson	Forbes	Maloney
Bentsen	Ford	Manton
Bereuter	Fowler	Manzullo
Berman	Fox	Markey
Bevill	Franks (CT)	Martinez
Bilbray	Frelinghuysen	Martini
Bilirakis	Frisa	Mascara
Bishop	Funderburk	Matsui
Bliley	Galleghy	McCarthy
Blute	Ganske	McCollum
Boehlert	Gejdenson	McCrery
Boehner	Gekas	McDade
Bonilla	Gephardt	McHale
Bonior	Geren	McHugh
Bono	Gibbons	McInnis
Borski	Gilchrest	McKeon
Boucher	Gillmor	McNulty
Brewster	Gilman	Meehan
Browder	Gonzalez	Meek
Brown (CA)	Goodlatte	Menendez
Brown (FL)	Goodling	Metcalfe
Brown (OH)	Gordon	Meyers
Brownback	Goss	Mfume
Bryant (TN)	Greenwood	Mica
Bryant (TX)	Gunderson	Miller (CA)
Bunn	Hall (OH)	Miller (FL)
Bunning	Hall (TX)	Molinar
Burr	Hamilton	Mollohan
Buyer	Hancock	Montgomery
Callahan	Hansen	Moorhead
Calvert	Harman	Morella
Camp	Hastert	Murtha
Canady	Hastings (WA)	Myers
Cardin	Hayes	Myrick
Castle	Hayworth	Neal
Chabot	Hefley	Nethercutt
Chambliss	Hefner	Neumann
Chenoweth	Heineman	Ney
Christensen	Herger	Norwood
Chrysler	Hillery	Nussle
Clement	Hobson	Oberstar
Clinger	Hoke	Obey
Coble	Horn	Olver
Coleman	Hostettler	Ortiz
Collins (GA)	Houghton	Orton
Combest	Hoyer	Oxley
Condit	Hunter	Packard
Cooley	Hutchinson	Parker
Costello	Hyde	Paxon
Cox	Inglis	Payne (VA)
Cramer	Istook	Peterson (FL)
Crane	Jackson-Lee	Petri
Crapo	Jacobs	Pickett
Creameans	Jefferson	Pombo
Cubin	Johnson (CT)	Pomeroy
Cunningham	Johnson, E. B.	Porter
Danner	Jones	Portman
Davis	Kanjorski	Poshard
de la Garza	Kaptur	Pryce
Deal	Kelly	Quillen
DeLauro	Kennedy (MA)	Quinn
DeLay	Kennedy (RI)	Radanovich
Deutsch	Kennelly	Reed
Diaz-Balart	Kildee	Regula
Dicks	Kim	Richardson
Dingell	King	Riggs
Doggett	Kingston	Rivers
Dooley	Klecka	Roberts
Doolittle	Klink	Roemer
Dornan	Knollenberg	Rogers
Doyle	Kolbe	Rohrabacher

Ros-Lehtinen	Smith (NJ)	Torrice
Rose	Smith (TX)	Traficant
Roth	Smith (WA)	Visclosky
Roukema	Solomon	Volkmer
Royce	Souder	Vucanovich
Sabo	Spence	Waldholtz
Salmon	Spratt	Walker
Sanford	Stearns	Walsh
Sawyer	Stenholm	Wamp
Saxton	Stockman	Ward
Schaefer	Stump	Watts (OK)
Schiff	Stupak	Weldon (FL)
Scott	Talent	Weldon (PA)
Seastrand	Tanner	Weller
Sensenbrenner	Tate	White
Shadegg	Tauzin	Whitfield
Shaw	Taylor (MS)	Wicker
Shays	Taylor (NC)	Wilson
Shuster	Tejeda	Wolf
Sisisky	Thomas	Young (AK)
Skaggs	Thornberry	Young (FL)
Skeen	Thornton	Zeliff
Skelton	Thurman	Zimmer
Slaughter	Tiahrt	
Smith (MI)	Torkildsen	

NAYS—80

Barrett (WI)	Hastings (FL)	Ramstad
Becerra	Hilliard	Rangel
Clay	Hoekstra	Roybal-Allard
Clayton	Holden	Rush
Clyburn	Johnson (SD)	Sanders
Coburn	Johnson, Sam	Schroeder
Collins (IL)	Johnston	Schumer
Collins (MI)	Klug	Serrano
Conyers	Lewis (GA)	Stark
Coyne	Lincoln	Stokes
DeFazio	Lipinski	Studds
Dellums	Lofgren	Thompson
Dixon	Luther	Torres
Duncan	McDermott	Towns
Ehlers	McKinney	Tucker
Evans	Mineta	Upton
Fattah	Minge	Velazquez
Fields (LA)	Mink	Vento
Filner	Moakley	Waters
Foglietta	Nadler	Watt (NC)
Frank (MA)	Owens	Williams
Franks (NJ)	Pallone	Wise
Furse	Pastor	Woolsey
Graham	Payne (NJ)	Wyden
Green	Pelosi	Wynn
Gutierrez	Peterson (MN)	Yates
Gutknecht	Rahall	

NOT VOTING—11

Burton	Hinchey	Reynolds
Chapman	Kasich	Scarborough
Dickey	McIntosh	Waxman
Frost	Moran	

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶57.9 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

¶57.10 PROVIDING FOR THE CONSIDERATION OF H.R. 660

Mr. DIAZ-BALART, by direction of the Committee on Rules, called up the following resolution (H. Res. 126):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 660) to amend the Fair Housing Act to modify the exemption from certain familial status discrimination prohibitions granted to housing for older persons. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by

the chairman and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill. Each section of the committee amendment in the nature of a substitute shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

On motion of Mr. DIAZ-BALART the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶57.11 MESSAGE FROM THE PRESIDENT—NATIONAL ENDOWMENT FOR THE ARTS

The SPEAKER pro tempore, Mr. HASTINGS of Washington, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

It is my special pleasure to transmit herewith the Annual Report of the National Endowment for the Arts for the fiscal year 1993.

The National Endowment for the Arts has awarded over 100,000 grants since 1965 for arts projects that touch every community in the Nation. Through its grants to individual artists, the agency has helped to launch and sustain the voice and grace of a generation—such as the brilliance of Rita Dove, now the U.S. Poet Laureate, or the daring of dancer Arthur Mitchell. Through its grants to art organizations, it has helped invigorate community arts centers and museums, preserve our folk heritage, and advance the performing, literary, and visual arts.

Since its inception, the Arts endowment has believed that all children should have an education in the arts. Over the past few years, the agency has worked hard to include the arts in our national education reform movement. Today, the arts are helping to lead the way in renewing American schools.

I have seen first-hand the success story of this small agency. In my home State of Arkansas, the National Endowment for the Arts worked in partnership with the State arts agency and the private sector to bring artists into our schools, to help cities revive downtown centers, and to support opera and jazz, literature and music. All across

the United States, the Endowment invests in our cultural institutions and artists. People in communities small and large in every State have greater opportunities to participate and enjoy the arts. We all benefit from this increased arts presence, and yet the cost is just 65 cents per American. The payback in economic terms has always been several-fold. The payback in human benefit is incalculable.

WILLIAM J. CLINTON.

THE WHITE HOUSE, April 6, 1995.

By unanimous consent, the message together with the accompanying papers, was referred to the Committee on Economic and Educational Opportunities.

¶57.12 HOUSING FOR OLDER PERSONS

The SPEAKER pro tempore, Mr. HASTINGS of Washington, pursuant to House Resolution 126 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 660) to amend the Fair Housing Act to modify the exemption from certain familial status discrimination prohibitions granted to housing for older persons.

The SPEAKER pro tempore, Mr. HASTINGS of Washington, by unanimous consent, designated Mr. DUNCAN as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. MCINNIS, assumed the Chair.

When Mr. DUNCAN, Chairman, pursuant to House Resolution 126, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Housing for Older Persons Act of 1995".

SEC. 2. DEFINITION OF HOUSING FOR OLDER PERSONS.

Subparagraph (C) of section 807(b)(2) of the Fair Housing Act (42 U.S.C. 3607(b)(2)) is amended to read as follows:

"(C) that meets the following requirements:

"(i) The housing is in a facility or community intended and operated for the occupancy of at least 80 percent of the occupied units by at least one person 55 years of age or older.

"(ii) The housing facility or community publishes and adheres to policies and procedures that demonstrate the intent required under clause (i), whether or not such policies and procedures are set forth in the governing documents of such facility or community.

"(iii) The housing facility or community complies with rules made by the Secretary for the verification of occupancy. Such rules shall allow for that verification by reliable surveys and affidavits and shall include examples of the types of policies and procedures relevant to a determination of compliance with the requirement of clause (ii). Such surveys and affidavits shall be admissible in administrative and judicial pro-

ceedings for the purposes of such verification.”.

**SEC. 3. GOOD FAITH ATTEMPT AT COMPLIANCE
DEFENSE AGAINST CIVIL MONEY
DAMAGES.**

Section 807(b) of the Fair Housing Act (42 U.S.C. 3607(b)) is amended by adding at the end the following:

“(5) GOOD FAITH RELIANCE.—(A) A person shall not be held personally liable for monetary damages for a violation of this title if such person reasonably relied, in good faith, on the application of the exemption under this subsection relating to housing for older persons.

“(B) For the purposes of this paragraph, a person engaged in the business of residential real estate transactions may show good faith reliance on the application of the exemption by showing that—

“(i) such person has no actual knowledge that the facility or community is not, or will not, be eligible for such exemption; and

“(ii) the facility or community has certified to such person, in writing and on oath or affirmation, that the facility or community complies with the requirements for such exemption.”.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, *viva voce*,
Will the House pass said bill?

The SPEAKER pro tempore, Mr. MCINNIS, announced that the yeas had it.

Mr. CANADY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas 424
Nays 5

§57.13 [Roll No. 297]
YEAS—424

Abercrombie	Bunn	de la Garza
Allard	Bunning	Deal
Andrews	Burr	DeFazio
Archer	Burton	DeLauro
Armey	Buyer	DeLay
Bachus	Callahan	Dellums
Baesler	Calvert	Deutsch
Baker (CA)	Camp	Diaz-Balart
Baker (LA)	Canady	Dicks
Baldacci	Cardin	Dingell
Ballenger	Castle	Dixon
Barcia	Chabot	Doggett
Barr	Chambliss	Dooley
Barrett (NE)	Chenoweth	Doolittle
Barrett (WI)	Christensen	Dornan
Bartlett	Chrysler	Doyle
Barton	Clay	Dreier
Bass	Clayton	Duncan
Bateman	Clement	Dunn
Beilenson	Clinger	Durbin
Bentsen	Clyburn	Edwards
Bereuter	Coble	Ehlers
Bevill	Coburn	Ehrlich
Bilbray	Coleman	Emerson
Bilirakis	Collins (GA)	Engel
Bishop	Collins (IL)	English
Bliley	Collins (MI)	Ensign
Blute	Combest	Eshoo
Boehlert	Condit	Evans
Boehner	Conyers	Everett
Bonilla	Cooley	Ewing
Bonior	Costello	Farr
Bono	Cox	Fattah
Borski	Coyne	Fawell
Boucher	Cramer	Fazio
Brewster	Crane	Fields (LA)
Browder	Crapo	Fields (TX)
Brown (CA)	Creameans	Filner
Brown (FL)	Cubin	Flake
Brown (OH)	Cunningham	Flanagan
Brownback	Danner	Foglietta
Bryant (TN)	Davis	Foley

Forbes	Lewis (KY)
Ford	Lightfoot
Fowler	Lincoln
Fox	Linder
Frank (MA)	Lipinski
Franks (CT)	Livingston
Franks (NJ)	LoBiondo
Frelinghuysen	Lofgren
Frisa	Longley
Funderburk	Lowey
Furse	Lucas
Gallegly	Luther
Ganske	Maloney
Gederson	Manton
Gekas	Manzullo
Gephardt	Markey
Geren	Martinez
Gibbons	Martini
Gilchrest	Mascara
Gillmor	Matsui
Gilman	McCarthy
Gonzalez	McCollum
Goodlatte	McCrery
Goodling	McDade
Gordon	McDermott
Goss	McHale
Graham	McHugh
Green	McInnis
Greenwood	McIntosh
Gunderson	McKeon
Gutierrez	McKinney
Gutknecht	McNulty
Hall (OH)	Meehan
Hall (TX)	Meek
Hamilton	Menendez
Hancock	Metcalfe
Hansen	Meyers
Harman	Mfume
Hastert	Mica
Hastings (FL)	Miller (CA)
Hastings (WA)	Miller (FL)
Hayes	Mineta
Hayworth	Minge
Hefley	Mink
Hefner	Moakley
Heineman	Molinar
Herger	Mollohan
Hilleary	Montgomery
Hilliard	Moorhead
Hinchey	Moran
Hobson	Morella
Hoekstra	Murtha
Hoke	Myers
Holden	Myrick
Horn	Nadler
Hostettler	Neal
Houghton	Nethercutt
Hoyer	Neumann
Hunter	Ney
Hutchinson	Norwood
Hyde	Nussle
Inglis	Oberstar
Istook	Obey
Jackson-Lee	Olver
Jacobs	Ortiz
Jefferson	Orton
Johnson (CT)	Owens
Johnson (SD)	Oxley
Johnson, E.B.	Packard
Johnson, Sam	Pallone
Johnston	Parker
Jones	Pastor
Kanjorski	Paxon
Kaptur	Payne (NJ)
Kasich	Payne (VA)
Kelly	Pelosi
Kennedy (MA)	Peterson (FL)
Kennedy (RI)	Peterson (MN)
Kennelly	Petri
Kildee	Pickett
Kim	Pombo
King	Pomeroy
Kingston	Porter
Klecicka	Portman
Klink	Poshard
Klug	Pryce
Knollenberg	Quillen
Kolbe	Quinn
LaFalce	Radanovich
LaHood	Rahall
Lantos	Ramstad
Largent	Rangel
Latham	Reed
LaTourette	Regula
Laughlin	Richardson
Lazio	Riggs
Leach	Rivers
Levin	Roberts
Lewis (CA)	Roemer
Lewis (GA)	Rogers

Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Roybal-Allard
Royce
Rush
Sabo
Salmon
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schroeder
Schumer
Seastrand
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Stockman
Stokes
Studds
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Upton
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Waters
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—5

Becerra	Bryant (TX)	Watt (NC)
Berman	Scott	

NOT VOTING—5

Ackerman	Dickey	Reynolds
Chapman	Frost	

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

§57.14 PROVIDING FOR THE
CONSIDERATION OF H.R. 483

Ms. PRYCE, by direction of the Committee on Rules, called up the following resolution (H. Res. 130):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 483) to amend title XVIII of the Social Security Act to permit medicare select policies to be offered in all States, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of any committee amendment it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of H.R. 1391. That amendment in the nature of a substitute shall be considered as read. No amendment to that amendment in the nature of a substitute shall be in order except one further amendment in the nature of a substitute which may be offered only by Representative Dingell of Michigan or his designee, shall be considered as read, shall be debatable for one hour equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendment as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and any amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. Subject to clause 2(l)(5) of rule XI, the Committee on Commerce may file a report to the House on H.R. 483 at any time.

When said resolution was considered.

Ms. PRYCE submitted the following amendment which was agreed to:

Page 2, line 3, by inserting after “bill” the words “for failure to comply with clause (2)(l)(6) of rule XI.”

After debate,

On motion of Ms. PRYCE, the previous question was ordered on the resolution, as amended, to its adoption or rejection.

The question being put, *viva voce*,

Will the House agree to said resolution, as amended?

The SPEAKER pro tempore, Mr. HOBSON, announced that the yeas had it.

Mr. MOAKLEY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas 253
Nays 172

§57.15

[Roll No. 298]

YEAS—253

Allard	Funderburk	Morella
Army	Gallegly	Myers
Bachus	Ganske	Myrick
Baker (CA)	Gekas	Nethercutt
Baker (LA)	Geren	Neumann
Ballenger	Gilchrest	Ney
Barr	Gillmor	Norwood
Barrett (NE)	Gilman	Nussle
Bartlett	Goodlatte	Oxley
Barton	Goodling	Packard
Bass	Gordon	Parker
Bateman	Goss	Paxon
Bereuter	Graham	Pelosi
Bevill	Greenwood	Peterson (MN)
Bilbray	Gunderson	Petri
Bilirakis	Gutknecht	Pombo
Bliley	Hancock	Pomeroy
Blute	Hansen	Porter
Boehlert	Hastert	Portman
Boehner	Hastings (WA)	Pryce
Bonilla	Hayes	Quillen
Bono	Hayworth	Quinn
Borski	Hefley	Radanovich
Brewster	Heineman	Ramstad
Brownback	Herger	Regula
Bryant (TN)	Hilleary	Riggs
Bunn	Hobson	Roberts
Bunning	Hoke	Roemer
Burr	Horn	Rogers
Burton	Hostettler	Rohrabacher
Buyer	Houghton	Ros-Lehtinen
Callahan	Hunter	Rose
Calvert	Hutchinson	Roth
Camp	Hyde	Roukema
Canady	Inglis	Royce
Castle	Istook	Salmon
Chabot	Jacobs	Sanford
Chambliss	Johnson (CT)	Saxton
Chenoweth	Johnson, Sam	Scarborough
Christensen	Jones	Schaefer
Chrysler	Kasich	Schiff
Clinger	Kelly	Seastrand
Coble	Kennelly	Sensenbrenner
Coburn	Kim	Shadegg
Collins (GA)	King	Shaw
Combest	Kingston	Shays
Condit	Klecza	Shuster
Cooley	Klug	Skeen
Cox	Knollenberg	Skelton
Crane	Kolbe	Smith (MI)
Crapo	LaHood	Smith (NJ)
Cremeans	Latham	Smith (TX)
Cubin	LaTourette	Smith (WA)
Cunningham	Laughlin	Solomon
Davis	Lazio	Souder
de la Garza	Leach	Spence
DeLay	Lewis (CA)	Spratt
Diaz-Balart	Lewis (KY)	Stearns
Doolittle	Lightfoot	Stenholm
Dornan	Linder	Stockman
Dreier	Livingston	Stump
Duncan	LoBiondo	Talent
Dunn	Longley	Tate
Ehlers	Lucas	Tauzin
Ehrlich	Manzullo	Taylor (NC)
Emerson	Martini	Thomas
English	McCollum	Thornberry
Ensign	McCrery	Tiahrt
Everett	McDade	Torkildsen
Ewing	McHugh	Torricelli
Fawell	McInnis	Traficant
Fields (TX)	McIntosh	Upton
Flanagan	McKeon	Vucanovich
Foley	Metcalf	Waldholtz
Forbes	Meyers	Walker
Fowler	Mica	Walsh
Fox	Miller (FL)	Wamp
Franks (CT)	Molinar	Ward
Franks (NJ)	Montgomery	Watts (OK)
Frelinghuysen	Moorhead	Weldon (FL)
Friza	Moran	Weldon (PA)

Weller
White
Whitfield
Wicker

Wilson
Wolf
Young (AK)
Young (FL)

NAYS—172

Abercrombie
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bishop
Bonior
Boucher
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Costello
Coyne
Cramer
Danner
Deal
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Ford
Frank (MA)
Furse
Gejdenson

Gephardt
Gibbons
Gonzalez
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hefner
Hinchey
Hoekstra
Holden
Hoyer
Jackson-Lee
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kildee
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lincoln
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Mineta
Minge
Mink
Moakley
Mollohan
Murtha
Nadler
Neal

Zeliff
Zimmer

NOT VOTING—9

Ackerman
Klucher
Chapman

Dickey
Frost
Hilliard

Largent
Miller (CA)
Reynolds

So the resolution, as amended, was agreed to.

A motion to reconsider the vote whereby said resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

§57.16 PAPERWORK REDUCTION

Mr. CLINGER called up the following conference report (Rept. No. 104-99):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 244), to further the goals of the Paperwork Reduction Act to have Federal agencies become more responsible and publicly accountable for reducing the burden of Federal paperwork on the public, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Paperwork Reduction Act of 1995".

SEC. 2. COORDINATION OF FEDERAL INFORMATION POLICY.

Chapter 35 of title 44, United States Code, is amended to read as follows:

"CHAPTER 35—COORDINATION OF FEDERAL INFORMATION POLICY

"Sec.

"3501. Purposes.

"3502. Definitions.

"3503. Office of Information and Regulatory Affairs.

"3504. Authority and functions of Director.

"3505. Assignment of tasks and deadlines.

"3506. Federal agency responsibilities.

"3507. Public information collection activities; submission to Director; approval and delegation.

"3508. Determination of necessity for information; hearing.

"3509. Designation of central collection agency.

"3510. Cooperation of agencies in making information available.

"3511. Establishment and operation of Government Information Locator Service.

"3512. Public protection.

"3513. Director review of agency activities; reporting; agency response.

"3514. Responsiveness to Congress.

"3515. Administrative powers.

"3516. Rules and regulations.

"3517. Consultation with other agencies and the public.

"3518. Effect on existing laws and regulations.

"3519. Access to information.

"3520. Authorization of appropriations.

"§3501. Purposes

"The purposes of this chapter are to—

"(1) minimize the paperwork burden for individuals, small businesses, educational and nonprofit institutions, Federal contractors, State, local and tribal governments, and other persons resulting from the collection of information by or for the Federal Government;

"(2) ensure the greatest possible public benefit from and maximize the utility of information created, collected, maintained, used, shared and disseminated by or for the Federal Government;

"(3) coordinate, integrate, and to the extent practicable and appropriate, make uniform Federal information resources management policies and practices as a means to improve the productivity, efficiency, and effectiveness of Government programs, including the reduction of information collection burdens on the public and the improvement of service delivery to the public;

"(4) improve the quality and use of Federal information to strengthen decisionmaking, accountability, and openness in Government and society;

"(5) minimize the cost to the Federal Government of the creation, collection, maintenance, use, dissemination, and disposition of information;

"(6) strengthen the partnership between the Federal Government and State, local, and tribal governments by minimizing the burden and maximizing the utility of information created, collected, maintained, used, disseminated, and retained by or for the Federal Government;

"(7) provide for the dissemination of public information on a timely basis, on equitable terms, and in a manner that promotes the utility of the information to the public and makes effective use of information technology;

"(8) ensure that the creation, collection, maintenance, use, dissemination, and disposition of information by or for the Federal Government is consistent with applicable laws, including laws relating to—

"(A) privacy and confidentiality, including section 552a of title 5;

"(B) security of information, including the Computer Security Act of 1987 (Public Law 100-235); and

"(C) access to information, including section 552 of title 5;

"(9) ensure the integrity, quality, and utility of the Federal statistical system;

"(10) ensure that information technology is acquired, used, and managed to improve performance of agency missions, including the reduction of information collection burdens on the public; and

"(11) improve the responsibility and accountability of the Office of Management and Budget and all other Federal agencies to Congress and to the public for implementing the information collection review process, information resources management, and related policies and guidelines established under this chapter.

"§ 3502. Definitions

"As used in this chapter—

"(1) the term 'agency' means any executive department, military department, Government corporation, Government controlled corporation, or other establishment in the executive branch of the Government (including the Executive Office of the President), or any independent regulatory agency, but does not include—

"(A) the General Accounting Office;

"(B) Federal Election Commission;

"(C) the governments of the District of Columbia and of the territories and possessions of the United States, and their various subdivisions; or

"(D) Government-owned contractor-operated facilities, including laboratories engaged in national defense research and production activities;

"(2) the term 'burden' means time, effort, or financial resources expended by persons to generate, maintain, or provide information to or for a Federal agency, including the resources expended for—

"(A) reviewing instructions;

"(B) acquiring, installing, and utilizing technology and systems;

"(C) adjusting the existing ways to comply with any previously applicable instructions and requirements;

"(D) searching data sources;

"(E) completing and reviewing the collection of information; and

"(F) transmitting, or otherwise disclosing the information;

"(3) the term 'collection of information'—

"(A) means the obtaining, causing to be obtained, soliciting, or requiring the disclosure to third parties or the public, of facts or opinions by or for an agency, regardless of form or format, calling for either—

"(i) answers to identical questions posed to, or identical reporting or recordkeeping requirements imposed on, ten or more persons, other than agencies, instrumentalities, or employees of the United States; or

"(ii) answers to questions posed to agencies, instrumentalities, or employees of the United States which are to be used for general statistical purposes; and

"(B) shall not include a collection of information described under section 3518(c)(1);

"(4) the term 'Director' means the Director of the Office of Management and Budget;

"(5) the term 'independent regulatory agency' means the Board of Governors of the Federal Reserve System, the Commodity Futures Trading Commission, the Consumer Product Safety Commission, the Federal Communications Commission, the Federal

Deposit Insurance Corporation, the Federal Energy Regulatory Commission, the Federal Housing Finance Board, the Federal Maritime Commission, the Federal Trade Commission, the Interstate Commerce Commission, the Mine Enforcement Safety and Health Review Commission, the National Labor Relations Board, the Nuclear Regulatory Commission, the Occupational Safety and Health Review Commission, the Postal Rate Commission, the Securities and Exchange Commission, and any other similar agency designated by statute as a Federal independent regulatory agency or commission;

"(6) the term 'information resources' means information and related resources, such as personnel, equipment, funds, and information technology;

"(7) the term 'information resources management' means the process of managing information resources to accomplish agency missions and to improve agency performance, including through the reduction of information collection burdens on the public;

"(8) the term 'information system' means a discrete set of information resources organized for the collection, processing, maintenance, use, sharing, dissemination, or disposition of information;

"(9) the term 'information technology' has the same meaning as the term 'automatic data processing equipment' as defined by section 111(a) (2) and (3)(C) (i) through (v) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 759(a) (2) and (3)(C) (i) through (v));

"(10) the term 'person' means an individual, partnership, association, corporation, business trust, or legal representative, an organized group of individuals, a State, territorial, tribal, or local government or branch thereof, or a political subdivision of a State, territory, tribal, or local government or a branch of a political subdivision;

"(11) the term 'practical utility' means the ability of an agency to use information, particularly the capability to process such information in a timely and useful fashion;

"(12) the term 'public information' means any information, regardless of form or format, that an agency discloses, disseminates, or makes available to the public;

"(13) the term 'recordkeeping requirement' means a requirement imposed by or for an agency on persons to maintain specified records, including a requirement to—

"(A) retain such records;

"(B) notify third parties, the Federal Government, or the public of the existence of such records;

"(C) disclose such records to third parties, the Federal Government, or the public; or

"(D) report to third parties, the Federal Government, or the public regarding such records; and

"(14) the term 'penalty' includes the imposition by an agency or court of a fine or other punishment; a judgment for monetary damages or equitable relief; or the revocation, suspension, reduction, or denial of a license, privilege, right, grant, or benefit.

"§ 3503. Office of Information and Regulatory Affairs

"(a) There is established in the Office of Management and Budget an office to be known as the Office of Information and Regulatory Affairs.

"(b) There shall be at the head of the Office an Administrator who shall be appointed by the President, by and with the advice and consent of the Senate. The Director shall delegate to the Administrator the authority to administer all functions under this chapter, except that any such delegation shall not relieve the Director of responsibility for the administration of such functions. The Administrator shall serve as principal ad-

viser to the Director on Federal information resources management policy.

"§ 3504. Authority and functions of Director

"(a)(1) The Director shall oversee the use of information resources to improve the efficiency and effectiveness of governmental operations to serve agency missions, including burden reduction and service delivery to the public. In performing such oversight, the Director shall—

"(A) develop, coordinate and oversee the implementation of Federal information resources management policies, principles, standards, and guidelines; and

"(B) provide direction and oversee—

"(i) the review and approval of the collection of information and the reduction of the information collection burden;

"(ii) agency dissemination of and public access to information;

"(iii) statistical activities;

"(iv) records management activities;

"(v) privacy, confidentiality, security, disclosure, and sharing of information; and

"(vi) the acquisition and use of information technology.

"(2) The authority of the Director under this chapter shall be exercised consistent with applicable law.

"(b) With respect to general information resources management policy, the Director shall—

"(1) develop and oversee the implementation of uniform information resources management policies, principles, standards, and guidelines;

"(2) foster greater sharing, dissemination, and access to public information, including through—

"(A) the use of the Government Information Locator Service; and

"(B) the development and utilization of common standards for information collection, storage, processing and communication, including standards for security, interconnectivity and interoperability;

"(3) initiate and review proposals for changes in legislation, regulations, and agency procedures to improve information resources management practices;

"(4) oversee the development and implementation of best practices in information resources management, including training; and

"(5) oversee agency integration of program and management functions with information resources management functions.

"(c) With respect to the collection of information and the control of paperwork, the Director shall—

"(1) review and approve proposed agency collections of information;

"(2) coordinate the review of the collection of information associated with Federal procurement and acquisition by the Office of Information and Regulatory Affairs with the Office of Federal Procurement Policy, with particular emphasis on applying information technology to improve the efficiency and effectiveness of Federal procurement, acquisition and payment, and to reduce information collection burdens on the public;

"(3) minimize the Federal information collection burden, with particular emphasis on those individuals and entities most adversely affected;

"(4) maximize the practical utility of and public benefit from information collected by or for the Federal Government; and

"(5) establish and oversee standards and guidelines by which agencies are to estimate the burden to comply with a proposed collection of information.

"(d) With respect to information dissemination, the Director shall develop and oversee the implementation of policies, principles, standards, and guidelines to—

"(1) apply to Federal agency dissemination of public information, regardless of the form

or format in which such information is disseminated; and

“(2) promote public access to public information and fulfill the purposes of this chapter, including through the effective use of information technology.

“(e) With respect to statistical policy and coordination, the Director shall—

“(1) coordinate the activities of the Federal statistical system to ensure—

“(A) the efficiency and effectiveness of the system; and

“(B) the integrity, objectivity, impartiality, utility, and confidentiality of information collected for statistical purposes;

“(2) ensure that budget proposals of agencies are consistent with system-wide priorities for maintaining and improving the quality of Federal statistics and prepare an annual report on statistical program funding;

“(3) develop and oversee the implementation of Governmentwide policies, principles, standards, and guidelines concerning—

“(A) statistical collection procedures and methods;

“(B) statistical data classification;

“(C) statistical information presentation and dissemination;

“(D) timely release of statistical data; and

“(E) such statistical data sources as may be required for the administration of Federal programs;

“(4) evaluate statistical program performance and agency compliance with Governmentwide policies, principles, standards and guidelines;

“(5) promote the sharing of information collected for statistical purposes consistent with privacy rights and confidentiality pledges;

“(6) coordinate the participation of the United States in international statistical activities, including the development of comparable statistics;

“(7) appoint a chief statistician who is a trained and experienced professional statistician to carry out the functions described under this subsection;

“(8) establish an Interagency Council on Statistical Policy to advise and assist the Director in carrying out the functions under this subsection that shall—

“(A) be headed by the chief statistician; and

“(B) consist of—

“(i) the heads of the major statistical programs; and

“(ii) representatives of other statistical agencies under rotating membership; and

“(9) provide opportunities for training in statistical policy functions to employees of the Federal Government under which—

“(A) each trainee shall be selected at the discretion of the Director based on agency requests and shall serve under the chief statistician for at least 6 months and not more than 1 year; and

“(B) all costs of the training shall be paid by the agency requesting training.

“(f) With respect to records management, the Director shall—

“(1) provide advice and assistance to the Archivist of the United States and the Administrator of General Services to promote coordination in the administration of chapters 29, 31, and 33 of this title with the information resources management policies, principles, standards, and guidelines established under this chapter;

“(2) review compliance by agencies with—

“(A) the requirements of chapters 29, 31, and 33 of this title; and

“(B) regulations promulgated by the Archivist of the United States and the Administrator of General Services; and

“(3) oversee the application of records management policies, principles, standards, and guidelines, including requirements for

archiving information maintained in electronic format, in the planning and design of information systems.

“(g) With respect to privacy and security, the Director shall—

“(1) develop and oversee the implementation of policies, principles, standards, and guidelines on privacy, confidentiality, security, disclosure and sharing of information collected or maintained by or for agencies;

“(2) oversee and coordinate compliance with sections 552 and 552a of title 5, the Computer Security Act of 1987 (40 U.S.C. 759 note), and related information management laws; and

“(3) require Federal agencies, consistent with the Computer Security Act of 1987 (40 U.S.C. 759 note), to identify and afford security protections commensurate with the risk and magnitude of the harm resulting from the loss, misuse, or unauthorized access to or modification of information collected or maintained by or on behalf of an agency.

“(h) With respect to Federal information technology, the Director shall—

“(1) in consultation with the Director of the National Institute of Standards and Technology and the Administrator of General Services—

“(A) develop and oversee the implementation of policies, principles, standards, and guidelines for information technology functions and activities of the Federal Government, including periodic evaluations of major information systems; and

“(B) oversee the development and implementation of standards under section 111(d) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 759(d));

“(2) monitor the effectiveness of, and compliance with, directives issued under sections 110 and 111 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 757 and 759);

“(3) coordinate the development and review by the Office of Information and Regulatory Affairs of policy associated with Federal procurement and acquisition of information technology with the Office of Federal Procurement Policy;

“(4) ensure, through the review of agency budget proposals, information resources management plans and other means—

“(A) agency integration of information resources management plans, program plans and budgets for acquisition and use of information technology; and

“(B) the efficiency and effectiveness of inter-agency information technology initiatives to improve agency performance and the accomplishment of agency missions; and

“(5) promote the use of information technology by the Federal Government to improve the productivity, efficiency, and effectiveness of Federal programs, including through dissemination of public information and the reduction of information collection burdens on the public.

“§3505. Assignment of tasks and deadlines

“(a) In carrying out the functions under this chapter, the Director shall—

“(1) in consultation with agency heads, set an annual Governmentwide goal for the reduction of information collection burdens by at least 10 percent during each of fiscal years 1996 and 1997 and 5 percent during each of fiscal years 1998, 1999, 2000, and 2001, and set annual agency goals to—

“(A) reduce information collection burdens imposed on the public that—

“(i) represent the maximum practicable opportunity in each agency; and

“(ii) are consistent with improving agency management of the process for the review of collections of information established under section 3506(c); and

“(B) improve information resources management in ways that increase the produc-

tivity, efficiency and effectiveness of Federal programs, including service delivery to the public;

“(2) with selected agencies and non-Federal entities on a voluntary basis, conduct pilot projects to test alternative policies, practices, regulations, and procedures to fulfill the purposes of this chapter, particularly with regard to minimizing the Federal information collection burden; and

“(3) in consultation with the Administrator of General Services, the Director of the National Institute of Standards and Technology, the Archivist of the United States, and the Director of the Office of Personnel Management, develop and maintain a Governmentwide strategic plan for information resources management, that shall include—

“(A) a description of the objectives and the means by which the Federal Government shall apply information resources to improve agency and program performance;

“(B) plans for—

“(i) reducing information burdens on the public, including reducing such burdens through the elimination of duplication and meeting shared data needs with shared resources;

“(ii) enhancing public access to and dissemination of, information, using electronic and other formats; and

“(iii) meeting the information technology needs of the Federal Government in accordance with the purposes of this chapter; and

“(C) a description of progress in applying information resources management to improve agency performance and the accomplishment of missions.

“(b) For purposes of any pilot project conducted under subsection (a)(2), the Director may, after consultation with the agency head, waive the application of any administrative directive issued by an agency with which the project is conducted, including any directive requiring a collection of information, after giving timely notice to the public and the Congress regarding the need for such waiver.

“§3506. Federal agency responsibilities

“(a)(1) The head of each agency shall be responsible for—

“(A) carrying out the agency's information resources management activities to improve agency productivity, efficiency, and effectiveness; and

“(B) complying with the requirements of this chapter and related policies established by the Director.

“(2)(A) Except as provided under subparagraph (B), the head of each agency shall designate a senior official who shall report directly to such agency head to carry out the responsibilities of the agency under this chapter.

“(B) The Secretary of the Department of Defense and the Secretary of each military department may each designate senior officials who shall report directly to such Secretary to carry out the responsibilities of the department under this chapter. If more than one official is designated, the respective duties of the officials shall be clearly delineated.

“(3) The senior official designated under paragraph (2) shall head an office responsible for ensuring agency compliance with and prompt, efficient, and effective implementation of the information policies and information resources management responsibilities established under this chapter, including the reduction of information collection burdens on the public. The senior official and employees of such office shall be selected with special attention to the professional qualifications required to administer the functions described under this chapter.

“(4) Each agency program official shall be responsible and accountable for information

resources assigned to and supporting the programs under such official. In consultation with the senior official designated under paragraph (2) and the agency Chief Financial Officer (or comparable official), each agency program official shall define program information needs and develop strategies, systems, and capabilities to meet those needs.

“(b) With respect to general information resources management, each agency shall—

“(1) manage information resources to—

“(A) reduce information collection burdens on the public;

“(B) increase program efficiency and effectiveness; and

“(C) improve the integrity, quality, and utility of information to all users within and outside the agency, including capabilities for ensuring dissemination of public information, public access to government information, and protections for privacy and security;

“(2) in accordance with guidance by the Director, develop and maintain a strategic information resources management plan that shall describe how information resources management activities help accomplish agency missions;

“(3) develop and maintain an ongoing process to—

“(A) ensure that information resources management operations and decisions are integrated with organizational planning, budget, financial management, human resources management, and program decisions;

“(B) in cooperation with the agency Chief Financial Officer (or comparable official), develop a full and accurate accounting of information technology expenditures, related expenses, and results; and

“(C) establish goals for improving information resources management’s contribution to program productivity, efficiency, and effectiveness, methods for measuring progress towards those goals, and clear roles and responsibilities for achieving those goals;

“(4) in consultation with the Director, the Administrator of General Services, and the Archivist of the United States, maintain a current and complete inventory of the agency’s information resources, including directories necessary to fulfill the requirements of section 3511 of this chapter; and

“(5) in consultation with the Director and the Director of the Office of Personnel Management, conduct formal training programs to educate agency program and management officials about information resources management.

“(c) With respect to the collection of information and the control of paperwork, each agency shall—

“(1) establish a process within the office headed by the official designated under subsection (a), that is sufficiently independent of program responsibility to evaluate fairly whether proposed collections of information should be approved under this chapter, to—

“(A) review each collection of information before submission to the Director for review under this chapter, including—

“(i) an evaluation of the need for the collection of information;

“(ii) a functional description of the information to be collected;

“(iii) a plan for the collection of the information;

“(iv) a specific, objectively supported estimate of burden;

“(v) a test of the collection of information through a pilot program, if appropriate; and

“(vi) a plan for the efficient and effective management and use of the information to be collected, including necessary resources;

“(B) ensure that each information collection—

“(i) is inventoried, displays a control number and, if appropriate, an expiration date;

“(ii) indicates the collection is in accordance with the clearance requirements of section 3507; and

“(iii) informs the person receiving the collection of information of—

“(I) the reasons the information is being collected;

“(II) the way such information is to be used;

“(III) an estimate, to the extent practicable, of the burden of the collection;

“(IV) whether responses to the collection of information are voluntary, required to obtain a benefit, or mandatory; and

“(V) the fact that an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid control number; and

“(C) assess the information collection burden of proposed legislation affecting the agency;

“(2)(A) except as provided under subparagraph (B) or section 3507(j), provide 60-day notice in the Federal Register, and otherwise consult with members of the public and affected agencies concerning each proposed collection of information, to solicit comment to—

“(i) evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility;

“(ii) evaluate the accuracy of the agency’s estimate of the burden of the proposed collection of information;

“(iii) enhance the quality, utility, and clarity of the information to be collected; and

“(iv) minimize the burden of the collection of information on those who are to respond, including through the use of automated collection techniques or other forms of information technology; and

“(B) for any proposed collection of information contained in a proposed rule (to be reviewed by the Director under section 3507(d)), provide notice and comment through the notice of proposed rulemaking for the proposed rule and such notice shall have the same purposes specified under subparagraph (A) (i) through (iv); and

“(3) certify (and provide a record supporting such certification, including public comments received by the agency) that each collection of information submitted to the Director for review under section 3507—

“(A) is necessary for the proper performance of the functions of the agency, including that the information has practical utility;

“(B) is not unnecessarily duplicative of information otherwise reasonably accessible to the agency;

“(C) reduces to the extent practicable and appropriate the burden on persons who shall provide information to or for the agency, including with respect to small entities, as defined under section 601(6) of title 5, the use of such techniques as—

“(i) establishing differing compliance or reporting requirements or timetables that take into account the resources available to those who are to respond;

“(ii) the clarification, consolidation, or simplification of compliance and reporting requirements; or

“(iii) an exemption from coverage of the collection of information, or any part thereof;

“(D) is written using plain, coherent, and unambiguous terminology and is understandable to those who are to respond;

“(E) is to be implemented in ways consistent and compatible, to the maximum extent practicable, with the existing reporting and recordkeeping practices of those who are to respond;

“(F) indicates for each recordkeeping requirement the length of time persons are required to maintain the records specified;

“(G) contains the statement required under paragraph (1)(B)(iii);

“(H) has been developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected, including the processing of the information in a manner which shall enhance, where appropriate, the utility of the information to agencies and the public;

“(I) uses effective and efficient statistical survey methodology appropriate to the purpose for which the information is to be collected; and

“(J) to the maximum extent practicable, uses information technology to reduce burden and improve data quality, agency efficiency and responsiveness to the public.

“(d) With respect to information dissemination, each agency shall—

“(1) ensure that the public has timely and equitable access to the agency’s public information, including ensuring such access through—

“(A) encouraging a diversity of public and private sources for information based on government public information;

“(B) in cases in which the agency provides public information maintained in electronic format, providing timely and equitable access to the underlying data (in whole or in part); and

“(C) agency dissemination of public information in an efficient, effective, and economical manner;

“(2) regularly solicit and consider public input on the agency’s information dissemination activities;

“(3) provide adequate notice when initiating, substantially modifying, or terminating significant information dissemination products; and

“(4) not, except where specifically authorized by statute—

“(A) establish an exclusive, restricted, or other distribution arrangement that interferes with timely and equitable availability of public information to the public;

“(B) restrict or regulate the use, resale, or redissemination of public information by the public;

“(C) charge fees or royalties for resale or redissemination of public information; or

“(D) establish user fees for public information that exceed the cost of dissemination.

“(e) With respect to statistical policy and coordination, each agency shall—

“(1) ensure the relevance, accuracy, timeliness, integrity, and objectivity of information collected or created for statistical purposes;

“(2) inform respondents fully and accurately about the sponsors, purposes, and uses of statistical surveys and studies;

“(3) protect respondents’ privacy and ensure that disclosure policies fully honor pledges of confidentiality;

“(4) observe Federal standards and practices for data collection, analysis, documentation, sharing, and dissemination of information;

“(5) ensure the timely publication of the results of statistical surveys and studies, including information about the quality and limitations of the surveys and studies; and

“(6) make data available to statistical agencies and readily accessible to the public.

“(f) With respect to records management, each agency shall implement and enforce applicable policies and procedures, including requirements for archiving information maintained in electronic format, particularly in the planning, design and operation of information systems.

“(g) With respect to privacy and security, each agency shall—

“(1) implement and enforce applicable policies, procedures, standards, and guidelines on privacy, confidentiality, security, disclosure and sharing of information collected or maintained by or for the agency;

“(2) assume responsibility and accountability for compliance with and coordinated management of sections 552 and 552a of title 5, the Computer Security Act of 1987 (40 U.S.C. 759 note), and related information management laws; and

“(3) consistent with the Computer Security Act of 1987 (40 U.S.C. 759 note), identify and afford security protections commensurate with the risk and magnitude of the harm resulting from the loss, misuse, or unauthorized access to or modification of information collected or maintained by or on behalf of an agency.

“(h) With respect to Federal information technology, each agency shall—

“(1) implement and enforce applicable Governmentwide and agency information technology management policies, principles, standards, and guidelines;

“(2) assume responsibility and accountability for information technology investments;

“(3) promote the use of information technology by the agency to improve the productivity, efficiency, and effectiveness of agency programs, including the reduction of information collection burdens on the public and improved dissemination of public information;

“(4) propose changes in legislation, regulations, and agency procedures to improve information technology practices, including changes that improve the ability of the agency to use technology to reduce burden; and

“(5) assume responsibility for maximizing the value and assessing and managing the risks of major information systems initiatives through a process that is—

“(A) integrated with budget, financial, and program management decisions; and

“(B) used to select, control, and evaluate the results of major information systems initiatives.

“§ 3507. Public information collection activities; submission to Director; approval and delegation

“(a) An agency shall not conduct or sponsor the collection of information unless in advance of the adoption or revision of the collection of information—

“(1) the agency has—

“(A) conducted the review established under section 3506(c)(1);

“(B) evaluated the public comments received under section 3506(c)(2);

“(C) submitted to the Director the certification required under section 3506(c)(3), the proposed collection of information, copies of pertinent statutory authority, regulations, and other related materials as the Director may specify; and

“(D) published a notice in the Federal Register—

“(i) stating that the agency has made such submission; and

“(ii) setting forth—

“(I) a title for the collection of information;

“(II) a summary of the collection of information;

“(III) a brief description of the need for the information and the proposed use of the information;

“(IV) a description of the likely respondents and proposed frequency of response to the collection of information;

“(V) an estimate of the burden that shall result from the collection of information; and

“(VI) notice that comments may be submitted to the agency and Director;

“(2) the Director has approved the proposed collection of information or approval

has been inferred, under the provisions of this section; and

“(3) the agency has obtained from the Director a control number to be displayed upon the collection of information.

“(b) The Director shall provide at least 30 days for public comment prior to making a decision under subsection (c), (d), or (h), except as provided under subsection (j).

“(c)(1) For any proposed collection of information not contained in a proposed rule, the Director shall notify the agency involved of the decision to approve or disapprove the proposed collection of information.

“(2) The Director shall provide the notification under paragraph (1), within 60 days after receipt or publication of the notice under subsection (a)(1)(D), whichever is later.

“(3) If the Director does not notify the agency of a denial or approval within the 60-day period described under paragraph (2)—

“(A) the approval may be inferred;

“(B) a control number shall be assigned without further delay; and

“(C) the agency may collect the information for not more than 1 year.

“(d)(1) For any proposed collection of information contained in a proposed rule—

“(A) as soon as practicable, but no later than the date of publication of a notice of proposed rulemaking in the Federal Register, each agency shall forward to the Director a copy of any proposed rule which contains a collection of information and any information requested by the Director necessary to make the determination required under this subsection; and

“(B) within 60 days after the notice of proposed rulemaking is published in the Federal Register, the Director may file public comments pursuant to the standards set forth in section 3508 on the collection of information contained in the proposed rule;

“(2) When a final rule is published in the Federal Register, the agency shall explain—

“(A) how any collection of information contained in the final rule responds to the comments, if any, filed by the Director or the public; or

“(B) the reasons such comments were rejected.

“(3) If the Director has received notice and failed to comment on an agency rule within 60 days after the notice of proposed rulemaking, the Director may not disapprove any collection of information specifically contained in an agency rule.

“(4) No provision in this section shall be construed to prevent the Director, in the Director's discretion—

“(A) from disapproving any collection of information which was not specifically required by an agency rule;

“(B) from disapproving any collection of information contained in an agency rule, if the agency failed to comply with the requirements of paragraph (1) of this subsection;

“(C) from disapproving any collection of information contained in a final agency rule, if the Director finds within 60 days after the publication of the final rule that the agency's response to the Director's comments filed under paragraph (2) of this subsection was unreasonable; or

“(D) from disapproving any collection of information contained in a final rule, if—

“(i) the Director determines that the agency has substantially modified in the final rule the collection of information contained in the proposed rule; and

“(ii) the agency has not given the Director the information required under paragraph (1) with respect to the modified collection of information, at least 60 days before the issuance of the final rule.

“(5) This subsection shall apply only when an agency publishes a notice of proposed rulemaking and requests public comments.

“(6) The decision by the Director to approve or not act upon a collection of information contained in an agency rule shall not be subject to judicial review.

“(e)(1) Any decision by the Director under subsection (c), (d), (h), or (j) to disapprove a collection of information, or to instruct the agency to make substantive or material change to a collection of information, shall be publicly available and include an explanation of the reasons for such decision.

“(2) Any written communication between the Administrator of the Office of Information and Regulatory Affairs, or any employee of the Office of Information and Regulatory Affairs, and an agency or person not employed by the Federal Government concerning a proposed collection of information shall be made available to the public.

“(3) This subsection shall not require the disclosure of—

“(A) any information which is protected at all times by procedures established for information which has been specifically authorized under criteria established by an Executive order or an Act of Congress to be kept secret in the interest of national defense or foreign policy; or

“(B) any communication relating to a collection of information which is not approved under this chapter, the disclosure of which could lead to retaliation or discrimination against the communicator.

“(f)(1) An independent regulatory agency which is administered by 2 or more members of a commission, board, or similar body, may by majority vote void—

“(A) any disapproval by the Director, in whole or in part, of a proposed collection of information of that agency; or

“(B) an exercise of authority under subsection (d) of section 3507 concerning that agency.

“(2) The agency shall certify each vote to void such disapproval or exercise to the Director, and explain the reasons for such vote. The Director shall without further delay assign a control number to such collection of information, and such vote to void the disapproval or exercise shall be valid for a period of 3 years.

“(g) The Director may not approve a collection of information for a period in excess of 3 years.

“(h)(1) If an agency decides to seek extension of the Director's approval granted for a currently approved collection of information, the agency shall—

“(A) conduct the review established under section 3506(c), including the seeking of comment from the public on the continued need for, and burden imposed by the collection of information; and

“(B) after having made a reasonable effort to seek public comment, but no later than 60 days before the expiration date of the control number assigned by the Director for the currently approved collection of information, submit the collection of information for review and approval under this section, which shall include an explanation of how the agency has used the information that it has collected.

“(2) If under the provisions of this section, the Director disapproves a collection of information contained in an existing rule, or recommends or instructs the agency to make a substantive or material change to a collection of information contained in an existing rule, the Director shall—

“(A) publish an explanation thereof in the Federal Register; and

“(B) instruct the agency to undertake a rulemaking within a reasonable time limited to consideration of changes to the collection of information contained in the rule and

thereafter to submit the collection of information for approval or disapproval under this chapter.

“(3) An agency may not make a substantive or material modification to a collection of information after such collection has been approved by the Director, unless the modification has been submitted to the Director for review and approval under this chapter.

“(i)(1) If the Director finds that a senior official of an agency designated under section 3506(a) is sufficiently independent of program responsibility to evaluate fairly whether proposed collections of information should be approved and has sufficient resources to carry out this responsibility effectively, the Director may, by rule in accordance with the notice and comment provisions of chapter 5 of title 5, United States Code, delegate to such official the authority to approve proposed collections of information in specific program areas, for specific purposes, or for all agency purposes.

“(2) A delegation by the Director under this section shall not preclude the Director from reviewing individual collections of information if the Director determines that circumstances warrant such a review. The Director shall retain authority to revoke such delegations, both in general and with regard to any specific matter. In acting for the Director, any official to whom approval authority has been delegated under this section shall comply fully with the rules and regulations promulgated by the Director.

“(j)(1) The agency head may request the Director to authorize a collection of information, if an agency head determines that—

“(A) a collection of information—

“(i) is needed prior to the expiration of time periods established under this chapter; and

“(ii) is essential to the mission of the agency; and

“(B) the agency cannot reasonably comply with the provisions of this chapter because—

“(i) public harm is reasonably likely to result if normal clearance procedures are followed;

“(ii) an unanticipated event has occurred; or

“(iii) the use of normal clearance procedures is reasonably likely to prevent or disrupt the collection of information or is reasonably likely to cause a statutory or court ordered deadline to be missed.

“(2) The Director shall approve or disapprove any such authorization request within the time requested by the agency head and, if approved, shall assign the collection of information a control number. Any collection of information conducted under this subsection may be conducted without compliance with the provisions of this chapter for a maximum of 90 days after the date on which the Director received the request to authorize such collection.

“§3508. Determination of necessity for information; hearing

“Before approving a proposed collection of information, the Director shall determine whether the collection of information by the agency is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility. Before making a determination the Director may give the agency and other interested persons an opportunity to be heard or to submit statements in writing. To the extent, if any, that the Director determines that the collection of information by an agency is unnecessary for any reason, the agency may not engage in the collection of information.

“§3509. Designation of central collection agency

“The Director may designate a central collection agency to obtain information for two

or more agencies if the Director determines that the needs of such agencies for information will be adequately served by a single collection agency, and such sharing of data is not inconsistent with applicable law. In such cases the Director shall prescribe (with reference to the collection of information) the duties and functions of the collection agency so designated and of the agencies for which it is to act as agent (including reimbursement for costs). While the designation is in effect, an agency covered by the designation may not obtain for itself information for the agency which is the duty of the collection agency to obtain. The Director may modify the designation from time to time as circumstances require. The authority to designate under this section is subject to the provisions of section 3507(f) of this chapter.

“§3510. Cooperation of agencies in making information available

“(a) The Director may direct an agency to make available to another agency, or an agency may make available to another agency, information obtained by a collection of information if the disclosure is not inconsistent with applicable law.

“(b)(1) If information obtained by an agency is released by that agency to another agency, all the provisions of law (including penalties) that relate to the unlawful disclosure of information apply to the officers and employees of the agency to which information is released to the same extent and in the same manner as the provisions apply to the officers and employees of the agency which originally obtained the information.

“(2) The officers and employees of the agency to which the information is released, in addition, shall be subject to the same provisions of law, including penalties, relating to the unlawful disclosure of information as if the information had been collected directly by that agency.

“§3511. Establishment and operation of Government Information Locator Service

“(a) In order to assist agencies and the public in locating information and to promote information sharing and equitable access by the public, the Director shall—

“(1) cause to be established and maintained a distributed agency-based electronic Government Information Locator Service (hereafter in this section referred to as the ‘Service’), which shall identify the major information systems, holdings, and dissemination products of each agency;

“(2) require each agency to establish and maintain an agency information locator service as a component of, and to support the establishment and operation of the Service;

“(3) in cooperation with the Archivist of the United States, the Administrator of General Services, the Public Printer, and the Librarian of Congress, establish an interagency committee to advise the Secretary of Commerce on the development of technical standards for the Service to ensure compatibility, promote information sharing, and uniform access by the public;

“(4) consider public access and other user needs in the establishment and operation of the Service;

“(5) ensure the security and integrity of the Service, including measures to ensure that only information which is intended to be disclosed to the public is disclosed through the Service; and

“(6) periodically review the development and effectiveness of the Service and make recommendations for improvement, including other mechanisms for improving public access to Federal agency public information.

“(b) This section shall not apply to operational files as defined by the Central Intelligence Agency Information Act (50 U.S.C. 431 et seq.).

“§3512. Public protection

“(a) Notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information that is subject to this chapter if—

“(1) the collection of information does not display a valid control number assigned by the Director in accordance with this chapter; or

“(2) the agency fails to inform the person who is to respond to the collection of information that such person is not required to respond to the collection of information unless it displays a valid control number.

“(b) The protection provided by this section may be raised in the form of a complete defense, bar, or otherwise at any time during the agency administrative process or judicial action applicable thereto.

“§3513. Director review of agency activities; reporting; agency response

“(a) In consultation with the Administrator of General Services, the Archivist of the United States, the Director of the National Institute of Standards and Technology, and the Director of the Office of Personnel Management, the Director shall periodically review selected agency information resources management activities to ascertain the efficiency and effectiveness of such activities to improve agency performance and the accomplishment of agency missions.

“(b) Each agency having an activity reviewed under subsection (a) shall, within 60 days after receipt of a report on the review, provide a written plan to the Director describing steps (including milestones) to—

“(1) be taken to address information resources management problems identified in the report; and

“(2) improve agency performance and the accomplishment of agency missions.

“§3514. Responsiveness to Congress

“(a)(1) The Director shall—

“(A) keep the Congress and congressional committees fully and currently informed of the major activities under this chapter; and

“(B) submit a report on such activities to the President of the Senate and the Speaker of the House of Representatives annually and at such other times as the Director determines necessary.

“(2) The Director shall include in any such report a description of the extent to which agencies have—

“(A) reduced information collection burdens on the public, including—

“(i) a summary of accomplishments and planned initiatives to reduce collection of information burdens;

“(ii) a list of all violations of this chapter and of any rules, guidelines, policies, and procedures issued pursuant to this chapter;

“(iii) a list of any increase in the collection of information burden, including the authority for each such collection; and

“(iv) a list of agencies that in the preceding year did not reduce information collection burdens in accordance with section 3505(a)(1), a list of the programs and statutory responsibilities of those agencies that precluded that reduction, and recommendations to assist those agencies to reduce information collection burdens in accordance with that section;

“(B) improved the quality and utility of statistical information;

“(C) improved public access to Government information; and

“(D) improved program performance and the accomplishment of agency missions through information resources management.

“(b) The preparation of any report required by this section shall be based on performance results reported by the agencies and shall not increase the collection of information

burden on persons outside the Federal Government.

“§3515. Administrative powers

“Upon the request of the Director, each agency (other than an independent regulatory agency) shall, to the extent practicable, make its services, personnel, and facilities available to the Director for the performance of functions under this chapter.

“§3516. Rules and regulations

“The Director shall promulgate rules, regulations, or procedures necessary to exercise the authority provided by this chapter.

“§3517. Consultation with other agencies and the public

“(a) In developing information resources management policies, plans, rules, regulations, procedures, and guidelines and in reviewing collections of information, the Director shall provide interested agencies and persons early and meaningful opportunity to comment.

“(b) Any person may request the Director to review any collection of information conducted by or for an agency to determine, if, under this chapter, a person shall maintain, provide, or disclose the information to or for the agency. Unless the request is frivolous, the Director shall, in coordination with the agency responsible for the collection of information—

“(1) respond to the request within 60 days after receiving the request, unless such period is extended by the Director to a specified date and the person making the request is given notice of such extension; and

“(2) take appropriate remedial action, if necessary.

“§3518. Effect on existing laws and regulations

“(a) Except as otherwise provided in this chapter, the authority of an agency under any other law to prescribe policies, rules, regulations, and procedures for Federal information resources management activities is subject to the authority of the Director under this chapter.

“(b) Nothing in this chapter shall be deemed to affect or reduce the authority of the Secretary of Commerce or the Director of the Office of Management and Budget pursuant to Reorganization Plan No. 1 of 1977 (as amended) and Executive order, relating to telecommunications and information policy, procurement and management of telecommunications and information systems, spectrum use, and related matters.

“(c)(1) Except as provided in paragraph (2), this chapter shall not apply to the collection of information—

“(A) during the conduct of a Federal criminal investigation or prosecution, or during the disposition of a particular criminal matter;

“(B) during the conduct of—

“(i) a civil action to which the United States or any official or agency thereof is a party; or

“(ii) an administrative action or investigation involving an agency against specific individuals or entities;

“(C) by compulsory process pursuant to the Antitrust Civil Process Act and section 13 of the Federal Trade Commission Improvements Act of 1980; or

“(D) during the conduct of intelligence activities as defined in section 3.4(e) of Executive Order No. 12333, issued December 4, 1981, or successor orders, or during the conduct of cryptologic activities that are communications security activities.

“(2) This chapter applies to the collection of information during the conduct of general investigations (other than information collected in an antitrust investigation to the extent provided in subparagraph (C) of paragraph (1)) undertaken with reference to a

category of individuals or entities such as a class of licensees or an entire industry.

“(d) Nothing in this chapter shall be interpreted as increasing or decreasing the authority conferred by Public Law 89-306 on the Administrator of the General Services Administration, the Secretary of Commerce, or the Director of the Office of Management and Budget.

“(e) Nothing in this chapter shall be interpreted as increasing or decreasing the authority of the President, the Office of Management and Budget or the Director thereof, under the laws of the United States, with respect to the substantive policies and programs of departments, agencies and offices, including the substantive authority of any Federal agency to enforce the civil rights laws.

“§3519. Access to information

“Under the conditions and procedures prescribed in section 716 of title 31, the Director and personnel in the Office of Information and Regulatory Affairs shall furnish such information as the Comptroller General may require for the discharge of the responsibilities of the Comptroller General. For the purpose of obtaining such information, the Comptroller General or representatives thereof shall have access to all books, documents, papers and records, regardless of form or format, of the Office.

“§3520. Authorization of appropriations

“There are authorized to be appropriated to the Office of Information and Regulatory Affairs to carry out the provisions of this chapter, and for no other purpose, \$8,000,000 for each of the fiscal years 1996, 1997, 1998, 1999, 2000, and 2001.”.

SEC. 3. BURDEN REDUCTION REGARDING QUARTERLY FINANCIAL REPORT PROGRAM AT BUREAU OF THE CENSUS.

Section 91 of title 13, United States Code, is amended by adding at the end the following new subsection:

“(d)(1) The Secretary shall not select an organization or entity for participation in a survey, if—

“(A) the organization or entity—

“(i) has assets of less than \$50,000,000;

“(ii) completed participation in a prior survey in the preceding 10-year period, as determined by the Secretary; and

“(iii) was selected for that prior survey participation after September 30, 1990; or

“(B) the organization or entity—

“(i) has assets of more than \$50,000,000 and less than \$100,000,000;

“(ii) completed participation in a prior survey in the preceding 2-year period, as determined by the Secretary; and

“(iii) was selected for that prior survey participation after September 30, 1995.

“(2)(A) The Secretary shall furnish advice and similar assistance to ease the burden of a small business concern which is attempting to compile and furnish the business information required of organizations and entities participating in the survey.

“(B) To facilitate the provision of the assistance under subparagraph (A), the Secretary shall establish a toll-free telephone number.

“(C) The Secretary shall expand the use of statistical sampling techniques to select organizations and entities having assets less than \$100,000,000 to participate in the survey.

“(3) The Secretary may undertake such additional paperwork burden reduction initiatives with respect to the conduct of the survey as may be deemed appropriate by the Secretary.

“(4) For purposes of this subsection:

“(A) The term ‘small business concern’ means a business concern that meets the requirements of section 3(a) of the Small Business Act and the regulations promulgated pursuant thereto.

“(B) The term ‘survey’ means the collection of information by the Secretary pursuant to this section for the purpose of preparing the publication entitled ‘Quarterly Financial Report for Manufacturing, Mining, and Trade Corporations’.”.

SEC. 4. EFFECTIVE DATE.

(a) IN GENERAL.—Except as otherwise provided in this section, this Act and the amendments made by this Act shall take effect on October 1, 1995.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 3520 of title 44, United States Code, as amended by this Act, shall take effect on the date of enactment of this Act.

(c) DELAYED APPLICATION.—In the case of a collection of information for which there is in effect on September 30, 1995, a control number issued by the Office of Management and Budget under chapter 35 of title 44, United States Code—

(1) the amendments made by this Act shall apply to the collection of information beginning on the earlier of—

(A) the first renewal or modification of that collection of information after September 30, 1995; or

(B) the expiration of its control number after September 30, 1995.

(2) prior to such renewal, modification, or expiration, the collection of information shall be subject to chapter 35 of title 44, United States Code, as in effect on September 30, 1995.

And the House agree to the same.

BILL CLINGER,
JOHN M. McHUGH,
DAVID MCINTOSH,
JON FOX,
CARDISS COLLINS,
COLLIN C. PETERSON,
BOB WISE,

Managers on the Part of the House.

WILLIAM V. ROTH, Jr.,
BILL COHEN,
THAD COCHRAN,
JOHN GLENN,
SAM NUNN,

Managers on the Part of the Senate.

When said conference report was considered.

After debate,

By unanimous consent, the previous question was ordered on the conference report to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. MCINNIS, announced that the yeas had it.

Mr. CLINGER objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared	{	Yeas	423
		Nays	0
		Answered	
		present	2

¶57.17

[Roll No. 299]

YEAS—423

Abercrombie
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci

Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Beilenson

Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert

Boehner	Fowler	Linder
Bonilla	Fox	Lipinski
Bonior	Frank (MA)	Livingston
Bono	Franks (CT)	LoBiondo
Borski	Franks (NJ)	Lofgren
Boucher	Frelinghuysen	Longley
Brewster	Frisa	Lowey
Browder	Funderburk	Lucas
Brown (CA)	Furse	Luther
Brown (FL)	Gallegly	Maloney
Brown (OH)	Gejdenson	Manton
Brownback	Gekas	Manzullo
Bryant (TN)	Gephardt	Markey
Bryant (TX)	Geren	Martinez
Bunn	Gibbons	Martini
Bunning	Gilchrest	Mascara
Burr	Gillmor	Matsui
Burton	Gilman	McCarthy
Buyer	Gonzalez	McCollum
Callahan	Goodlatte	McCrery
Calvert	Goodling	McDade
Camp	Gordon	McDermott
Canady	Goss	McHale
Cardin	Graham	McHugh
Castle	Green	McInnis
Chabot	Greenwood	McIntosh
Chambliss	Gundersen	McKeon
Chenoweth	Gutierrez	McKinney
Christensen	Gutknecht	McNulty
Chrysler	Hall (OH)	Meehan
Clay	Hall (TX)	Meek
Clayton	Hamilton	Menendez
Clement	Hancock	Metcalf
Clinger	Hansen	Meyers
Clyburn	Harman	Mfume
Coble	Hastert	Mica
Coburn	Hastings (FL)	Miller (CA)
Coleman	Hastings (WA)	Miller (FL)
Collins (GA)	Hayes	Mineta
Collins (IL)	Hayworth	Minge
Collins (MI)	Hefley	Mink
Combest	Hefner	Moakley
Condit	Heineman	Molinari
Conyers	Herger	Mollohan
Cooley	Hilleary	Montgomery
Costello	Hilliard	Moorhead
Cox	Hinche	Moran
Coyne	Hobson	Morella
Cramer	Hoekstra	Murtha
Crane	Hoke	Myers
Crapo	Holden	Myrick
Cremeans	Horn	Nadler
Cubin	Hostettler	Neal
Cunningham	Houghton	Nethercutt
Danner	Hoyer	Neumann
Davis	Hunter	Ney
de la Garza	Hutchinson	Norwood
Deal	Hyde	Nussle
DeFazio	Inglis	Oberstar
DeLauro	Istook	Obey
DeLay	Jackson-Lee	Olver
Dellums	Jacobs	Ortiz
Deutsch	Jefferson	Orton
Diaz-Balart	Johnson (CT)	Owens
Dicks	Johnson (SD)	Oxley
Dingell	Johnson, E. B.	Packard
Dixon	Johnson, Sam	Pallone
Doggett	Johnston	Parker
Dooley	Jones	Pastor
Doolittle	Kanjorski	Paxon
Dornan	Kaptur	Payne (NJ)
Doyle	Kasich	Payne (VA)
Dreier	Kelly	Peterson (FL)
Duncan	Kennedy (MA)	Peterson (MN)
Dunn	Kennedy (RI)	Petri
Durbin	Kennelly	Pombo
Edwards	Kildee	Pomeroy
Ehlers	Kim	Porter
Ehrlich	King	Portman
Emerson	Kingston	Poshard
Engel	Klecza	Pryce
English	Klink	Quillen
Ensign	Klug	Quinn
Eshoo	Knollenberg	Radanovich
Evans	Kolbe	Rahall
Everett	LaFalce	Ramstad
Ewing	LaHood	Reed
Farr	Lantos	Regula
Fattah	Largent	Richardson
Fawell	Latham	Riggs
Fazio	LaTourette	Rivers
Fields (LA)	Laughlin	Roberts
Fields (TX)	Lazio	Roemer
Filner	Leach	Rogers
Flake	Levin	Rohrabacher
Flanagan	Lewis (CA)	Ros-Lehtinen
Foglietta	Lewis (GA)	Rose
Foley	Lewis (KY)	Roth
Forbes	Lightfoot	Roukema
Ford	Lincoln	Royce

Rush	Spence	Vento
Sabo	Spratt	Visclosky
Salmon	Stark	Volkmer
Sanders	Stearns	Vucanovich
Sanford	Stenholm	Waldholtz
Sawyer	Stockman	Walker
Saxton	Stokes	Walsh
Scarborough	Studds	Wamp
Schaefer	Stump	Ward
Schiff	Stupak	Waters
Schroeder	Talent	Watt (NC)
Schumer	Tanner	Watts (OK)
Scott	Tate	Waxman
Seastrand	Tauzin	Weldon (FL)
Sensenbrenner	Taylor (MS)	Weldon (PA)
Serrano	Taylor (NC)	Weller
Shadegg	Tejeda	White
Shaw	Thomas	Whitfield
Shays	Thompson	Wicker
Shuster	Thornberry	Williams
Sisisky	Thornton	Wilson
Skaggs	Thurman	Wise
Skeen	Tiahrt	Wolf
Skelton	Torkildsen	Woolsey
Slaughter	Torres	Wyden
Smith (MI)	Torricelli	Wynn
Smith (NJ)	Towns	Yates
Smith (TX)	Traficant	Young (AK)
Smith (WA)	Tucker	Young (FL)
Solomon	Upton	Zeliff
Souder	Velazquez	Zimmer

ANSWERED "PRESENT"—2

Becerra Roybal-Allard

NOT VOTING—9

Ackerman	Frost	Pickett
Chapman	Ganske	Rangel
Dickey	Pelosi	Reynolds

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

§57.18 CONFORMING COMMITTEES AND OFFICERS OF THE HOUSE

Mr. THOMAS, by unanimous consent, submitted for consideration the bill (H.R. 1421) to provide that references in the statutes of the United States to any committee or officer of the House of Representatives the name or jurisdiction of which was changed as part of the reorganization of the House of Representatives at the beginning of the One Hundred Fourth Congress shall be treated as referring to the currently applicable committee or officer of the House of Representatives.

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

§57.19 COMMODITY FUTURES TRADING COMMISSION

On motion of Mr. ROBERTS, by unanimous consent, the bill of the Senate (S. 178) to amend the Commodity Exchange Act to extend the authorization for the Commodity Futures Trading Commission, and for other purposes; was taken from the Speaker's table.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

§57.20 PRIVILEGES OF THE HOUSE

Mr. DEUTSCH rose to a question of the privileges of the House and called up the following resolution (H. Res. 131):

Whereas rule IX of the Rules of the House of Representatives provides that questions of privilege shall arise whenever the rights of the House collectively are affected:

Whereas, under the precedents, customs, and traditions of the House pursuant to rule IX, a question of privilege has arisen in cases involving the constitutional prerogatives of the House;

Whereas section 7 of Article I of the Constitution requires that revenue measures originate in the House of Representatives; and

Whereas the conference report on the bill H.R. 831 contained a targeted tax benefit which was not contained in the bill as passed the House of Representatives and which was not contained in the amendment of the Senate; Now, therefore, be it

Resolved, That the Comptroller General of the United States shall prepare and transmit, within 7 days after the date of the adoption of this resolution, a report to the House of Representatives containing the opinion of the Comptroller General on whether the addition of a targeted tax benefit by the conferees to the conference report on the bill H.R. 831 (A bill to amend the Internal Revenue Code of 1986 to permanently extend the deduction for the health insurance costs of self-employed individuals, to repeal the provision permitting nonrecognition of gain on sales and exchanges effectuating policies of the Federal Communications Commission, and for other purposes) violates the requirement of the United States Constitution that all revenue measures originate in the House of Representatives.

The SPEAKER pro tempore, Mr. MCINNIS, ruled that the resolution submitted did not present a question of the privileges of the House under rule IX, and said:

The Chair rules that the resolution does not constitute a question of privilege under rule IX.

The resolution offered by the gentleman from Florida collaterally questions actions taken by a committee of conference on a House-originated revenue bill by challenging the inclusion in the conference report of additional revenue matter not contained in either the House bill nor the Senate amendment committed to conference. The resolution calls for a report by the Comptroller General on the propriety under section 7 of article I of the Constitution of those proceedings and conference actions on a bill that has already moved through the legislative process.

In the opinion of the Chair, such a resolution does not raise a question of the privileges of the House. As recorded in Deschler's Precedents, volume 3, chapter 13, section 14.2, a question of privilege under section 7 of article I of the Constitution may be raised only when the House is "in possession of the papers." In other words, any allegation of infringement on the prerogatives of

the House to originate a revenue measure must be made contemporaneous with the consideration of the measure by the House and may not be raised after the fact.

The Chair rules that the resolution does not constitute a question of the privileges of the House.

Mr. DEUTSCH appealed the ruling of the Chair.

Mr. WALKER moved to lay the appeal on the table.

The question being put, *viva voce*,

Will the House lay on the table the appeal of the ruling of the Chair?

The SPEAKER pro tempore, Mr. MCINNIS, announced that the nays had it.

Mr. WALKER objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas 230
Nays 192

§57.21

[Roll No. 300]

YEAS—230

Allard	English	Largent
Archer	Ensign	Latham
Armey	Everett	LaTourette
Bachus	Ewing	Lazio
Baker (CA)	Fawell	Leach
Baker (LA)	Fields (TX)	Lewis (CA)
Ballenger	Flanagan	Lewis (KY)
Barr	Foley	Lightfoot
Barrett (NE)	Forbes	Linder
Bartlett	Fowler	Livingston
Barton	Fox	LoBiondo
Bass	Franks (NJ)	Longley
Bateman	Frelinghuysen	Lucas
Bereuter	Frisa	Manzullo
Bilbray	Funderburk	Martini
Bilirakis	Galleghy	McColum
Bliley	Ganske	McCrery
Blute	Gekas	McDade
Boehlert	Geren	McHugh
Boehner	Gilchrest	McInnis
Bonilla	Gillmor	McIntosh
Bono	Gilman	McKeon
Brownback	Goodlatte	Metcalf
Bryant (TN)	Goodling	Meyers
Bunn	Goss	Mica
Bunning	Graham	Miller (FL)
Burr	Greenwood	Molinari
Burton	Gunderson	Montgomery
Buyer	Gutknecht	Moorhead
Callahan	Hancock	Morella
Calvert	Hansen	Myers
Camp	Hastert	Myrick
Canady	Hastings (WA)	Nethercutt
Castle	Hayworth	Neumann
Chabot	Hefley	Ney
Chambliss	Heineman	Norwood
Chenoweth	Herger	Nussle
Christensen	Hilleary	Oxley
Chrysler	Hobson	Packard
Clinger	Hoekstra	Parker
Coble	Hoke	Paxon
Coburn	Horn	Petri
Collins (GA)	Hostettler	Pombo
Combest	Houghton	Porter
Cooley	Hunter	Portman
Cox	Hutchinson	Pryce
Crane	Hyde	Quillen
Crapo	Inglis	Quinn
Creameans	Istook	Radanovich
Cubin	Johnson (CT)	Ramstad
Cunningham	Johnson, Sam	Regula
Davis	Johnston	Riggs
DeLay	Jones	Roberts
Diaz-Balart	Kasich	Rogers
Doolittle	Kelly	Rohrabacher
Dornan	Kim	Ros-Lehtinen
Dreier	King	Roth
Duncan	Kingston	Roukema
Dunn	Klug	Royce
Ehlers	Knollenberg	Salmon
Ehrlich	Kolbe	Sanford
Emerson	LaHood	Saxton

Scarborough
Schaefer
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder

Spence
Stearns
Stockman
Stump
Talent
Tate
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Upton
Vucanovich
Waldholtz
Walker

Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—192

Abercrombie
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bevill
Bishop
Bonior
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Costello
Coyne
Cramer
Danner
de la Garza
Deal
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Ford
Furse
Gejdenson
Gephardt
Gibbons

NOT VOTING—12

Ackerman
Chapman
Dickey
Frank (MA)

Franks (CT)
Frost
Hayes
Kaptur

Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Peterson (FL)
Peterson (MN)
Pickett
Pomeroy
Poshard
Rahall
Rangel
Reed
Richardson
Rivers
Roemer
Rose
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Sisisky
Skaggs
Skelton
Slaughter
Spratt
Stark
Stenholm
Stokes
Studds
Stupak
Tanner
Tauzin
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Trafigant
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Waxman
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates

§57.22 PROVIDING FOR THE
ADJOURNMENT OF THE TWO HOUSES

Mr. GOSS, submitted the following privileged concurrent resolution (H. Con. Res. 58):

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Friday, April 7, 1995, it stand adjourned until 12:30 p.m. on Monday, May 1, 1995, or until noon on the second day after Members are notified to reassemble pursuant to section 3 of this concurrent resolution, whichever occurs first; and that when the Senate adjourns or recesses at the close of business on Thursday, April 6, 1995, Friday, April 7, 1995, Saturday, April 8, 1995, Sunday, April 9, 1995, or Monday, April 10, 1995, pursuant to a motion made by the Majority Leader, or his designee, in accordance with this concurrent resolution, it stand recessed or adjourned until noon on Monday, April 24, 1995, or such time on that day as may be specified by the Majority Leader or his designee in the motion to recess or adjourn, or until noon on the second day after members are notified to reassemble pursuant to section 3 of this concurrent resolution, whichever occurs first.

Sec. 2. When the House adjourns on the legislative day of Wednesday, May 3, 1995, it stand adjourned until 12:30 p.m. on Tuesday, May 9, 1995, or until noon on second day after Members are notified to reassemble pursuant to section 3 of this concurrent resolution, whichever occurs first.

Sec. 3. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

When said concurrent resolution was considered was agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

§57.23 HOUR OF MEETING

On motion of Mr. GOSS, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 11:00 o'clock a.m. on Friday, April 7, 1995.

§57.24 MEDICARE SELECT POLICIES

The SPEAKER pro tempore, Mr. MCINNIS, pursuant to House Resolution 130 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 483) to amend title XVIII of the Social Security Act to permit medicare select policies to be offered in all States, and for other purposes.

The SPEAKER pro tempore, Mr. MCINNIS, by unanimous consent, designated Mr. BONILLA as Chairman of the Committee of the Whole; and after some time spent therein,

§57.25 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment in

the nature of a substitute submitted by Mr. WAXMAN:

Strike all after the enacting clause and insert the following:

SECTION 1. EXTENDING MEDICARE SELECT POLICIES TO ALL STATES FOR AN ADDITIONAL 5-YEAR PERIOD.

Section 4358(c) of the Omnibus Budget Reconciliation Act of 1990, as amended by section 172(a) of the Social Security Act Amendments of 1994, is amended—

(1) by striking "The amendments" and inserting "(1) Subject to paragraph (2), the amendments";

(2) by inserting "and, subject to paragraph (3), those other States that elect them to apply" after "15 States (as determined by the Secretary of Health and Human Services)";

(3) by striking "3½-year" and inserting "8½-year"; and

(4) by adding at the end the following new paragraphs:

"(2) The amendments made by this section shall apply to a State after the first 3½ years of the 8½-year period described in paragraph (1) only if the State provides that the premiums for a medicare select policy do not vary at renewal (or at any other time premiums change) on the basis of the age attained by the policy-holder or certificateholder.

"(3)(A) The amendments made by this section shall apply to a State other than the 15 States referred to in paragraph (1) only if the State provides that the issuer of a medicare select policy makes available to a policyholder or certificateholder, at each of the times described in subparagraph (B), a policy described in subparagraph (C) (whether or not otherwise offered by the issuer to individuals in the State and whether issued directly by that issuer or under an arrangement with another issuer) under terms and conditions described in subparagraph (C).

"(B) The times described in this subparagraph are—

"(i) the time the policyholder or certificateholder moves out of the service area of the issuer of the medicare select policy,

and

"(iii) at the end of the 12-month-period beginning on the date such policy first becomes effective if the policy is canceled or non-renewed by the policyholder or certificateholder at the end of such period.

"(C) A policy described in this subparagraph is a policy that meets the 1991 Model NAIC Regulation or 1991 Federal Regulation and other requirements of section 1882 of the Social Security Act (without regard to subsection (t)) and the terms and conditions (including premium levels) described in this subparagraph are terms and conditions comparable to the terms and conditions that the policyholder or certificateholder would have had if the policyholder or certificateholder had been enrolled in a policy not under section 1882(t) of such Act during the period in which the policyholder or certificateholder was enrolled in a policy under such section 1882(t).

"(D) The Secretary of Health and Human Services is authorized to issue such regulations as may be necessary to carry out this paragraph."

It was decided in the { Yeas 175
negative } Nays 246

57.26

[Roll No. 301]

AYES—175

Abercrombie
Andrews
Baesler
Baldacci

Barcia
Barrett (WI)
Becerra
Beilenson

Bentsen
Berman
Bonior
Borski

Brewster
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Condit
Conyers
Costello
Coyne
Danner
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Fliner
Flake
Foglietta
Ford
Frank (MA)
Furse
Gejdenson
Gephardt
Gibbons
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Hastings (FL)
Hayes
Hefner

Allard
Archer
Army
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Boucher
Browder
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chenoweth
Christensen
Chrysler
Clinger

Hilliard
Hinchey
Holden
Hoyer
Jackson-Lee
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kildee
Kleczka
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lincoln
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Mink
Moakley
Mollohan
Montgomery
Moran
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Orton

NOES—246

Coble
Coburn
Collins (GA)
Combest
Cooley
Cox
Cramer
Crane
Crapo
Creameans
Cubin
Cunningham
Davis
Deal
DeLay
Diaz-Balart
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallagher
Ganske
Gekas

Owens
Pallone
Pastor
Payne (NJ)
Poshard
Rahall
Rangel
Reed
Richardson
Rivers
Roemer
Roybal-Allard
Rush
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Skaggs
Slaughter
Spratt
Stark
Stenholm
Stokes
Studds
Stupak
Tauzin
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Traficant
Tucker
Velazquez
Vento
Visclosky
Volkmmer
Ward
Waters
Watt (NC)
Waxman
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates

Knollenberg
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalfe
Meyers
Mica
Miller (FL)
Minge
Molinar
Moorhead
Morella
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood

Nussle
Oxley
Packard
Parker
Paxon
Payne (VA)
Peterson (FL)
Peterson (MN)
Petri
Pombo
Pomeroy
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Sabo
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays

Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tanner
Tate
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—13

Ackerman
Brown (CA)
Chambliss
Chapman
Collins (MI)

Dickey
Frost
Kolbe
Pelosi
Pickett
Reynolds
Rose
Shuster

So the amendment in the nature of a substitute was not agreed to.

The SPEAKER pro tempore, Mr. HOBSON, assumed the Chair.

When Mr. BONILLA, Chairman, pursuant to House Resolution 130, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. PERMITTING MEDICARE SELECT POLICIES TO BE OFFERED IN ALL STATES FOR AN EXTENDED PERIOD.

Section 4358(c) of the Omnibus Budget Reconciliation Act of 1990, as amended by section 172(a) of the Social Security Act Amendments of 1994, is amended to read as follows:

"(c) EFFECTIVE DATE.—(1) The amendments made by this section shall only apply—

"(A) in 15 States (as determined by the Secretary of Health and Human Services) and such other States as elect such amendments to apply to them, and

"(B) subject to paragraph (2), during the 8½ year period beginning with 1992.

"(2)(A) The Secretary of Health and Human Services shall conduct a study that compares the health care costs, quality of care, and access to services under medicare select policies with that under other medicare supplemental policies. The study shall be based on surveys of appropriate age-adjusted sample populations. The study shall be completed by December 31, 1998.

"(B) The Secretary shall determine during 1999 whether the amendments made by this section shall remain in effect beyond the 8½ year period described in paragraph (1)(B). Such amendments shall remain in effect beyond such period unless the Secretary deter-

mines (based on the results of the study under subparagraph (A)) that—

“(i) such amendments have not resulted in savings of premiums costs to those enrolled in medicare select policies (in comparison to their enrollment in medicare supplemental policies that are not medicare select policies and that provide comparable coverage),

“(ii) there have been significant additional expenditures under the medicare program as a result of such amendments, or

“(iii) access to and quality of care has been significantly diminished as a result of such amendments.”.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, *viva voce*,
Will the House pass said bill?

The SPEAKER pro tempore, Mr. HOBSON, announced that the yeas had it.

Mrs. JOHNSON of Connecticut demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative	{	Yeas	408
		Nays	14

§57.27 [Roll No. 302]
AYES—408

Allard	Clay	Filner
Andrews	Clayton	Flake
Archer	Clement	Flanagan
Bachus	Clinger	Foglietta
Baessler	Clyburn	Foley
Baker (CA)	Coble	Forbes
Baker (LA)	Coburn	Ford
Baldacci	Coleman	Fowler
Ballenger	Collins (GA)	Fox
Barcia	Collins (IL)	Frank (MA)
Barr	Collins (MI)	Franks (CT)
Barrett (NE)	Combust	Franks (NJ)
Barrett (WI)	Condit	Frelinghuysen
Bartlett	Cooley	Frisa
Barton	Costello	Funderburk
Bass	Cox	Furse
Bateman	Coyne	Gallegly
Becerra	Cramer	Ganske
Beilenson	Crane	Gejdenson
Bentsen	Crapo	Gekas
Bereuter	Creameans	Gephardt
Berman	Cubin	Geren
Bevill	Cunningham	Gibbons
Bilbray	Danner	Gilchrest
Billrakis	Davis	Gillmor
Bishop	de la Garza	Gilman
Bliley	Deal	Goodlatte
Blute	DeFazio	Goodling
Boehlert	DeLauro	Gordon
Boehner	DeLay	Goss
Bonilla	Deutsch	Graham
Bonior	Diaz-Balart	Green
Bono	Dicks	Greenwood
Borski	Dixon	Gunderson
Boucher	Doggett	Gutierrez
Brewster	Dooley	Gutknecht
Browder	Doolittle	Hall (OH)
Brown (FL)	Dornan	Hall (TX)
Brown (OH)	Doyle	Hamilton
Brownback	Dreier	Hancock
Bryant (TN)	Duncan	Hansen
Bryant (TX)	Dunn	Harman
Bunn	Durbin	Hastert
Bunning	Edwards	Hastings (FL)
Burr	Ehlers	Hastings (WA)
Burton	Ehrlich	Hayes
Buyer	Emerson	Hayworth
Callahan	Engel	Hefley
Calvert	English	Hefner
Camp	Ensign	Heineman
Canady	Eshoo	Henger
Cardin	Evans	Hilleary
Castle	Everett	Hilliard
Chabot	Farr	Hinchey
Chambliss	Fawell	Hobson
Chenoweth	Fazio	Hoekstra
Christensen	Fields (LA)	Hoke
Chrysler	Fields (TX)	Holden

Horn	Meyers	Schroeder
Hostettler	Mfume	Schumer
Houghton	Mica	Scott
Hoyer	Miller (CA)	Seastrand
Hunter	Miller (FL)	Sensenbrenner
Hutchinson	Mineta	Serrano
Hyde	Minge	Shadegg
Inglis	Moakley	Shaw
Istook	Molinari	Shays
Jackson-Lee	Mollohan	Sisisky
Jacobs	Montgomery	Skaggs
Jefferson	Moorhead	Skeen
Johnson (CT)	Moran	Skelton
Johnson (SD)	Morella	Slaughter
Johnson, E. B.	Murtha	Smith (MI)
Johnson, Sam	Myers	Smith (NJ)
Jones	Myrick	Smith (TX)
Kanjorski	Nadler	Smith (WA)
Kaptur	Neal	Solomon
Kasich	Nethercutt	Souder
Kelly	Neumann	Spence
Kennedy (MA)	Ney	Spratt
Kennelly	Norwood	Stearns
Kildee	Nussle	Stenholm
Kim	Oberstar	Stockman
King	Obey	Stokes
Kingston	Olver	Studds
Klecicka	Ortiz	Stump
Klink	Orton	Talent
Klug	Owens	Tanner
Knollenberg	Oxley	Tate
LaFalce	Packard	Tauzin
LaHood	Pallone	Taylor (MS)
Lantos	Parker	Taylor (NC)
Largent	Pastor	Tejeda
Latham	Paxon	Thomas
LaTourette	Payne (VA)	Thompson
Laughlin	Peterson (FL)	Thornberry
Lazio	Peterson (MN)	Thornton
Leach	Petri	Thurman
Levin	Pickett	Tiahrt
Lewis (CA)	Pombo	Torkildsen
Lewis (GA)	Pomeroy	Torres
Lewis (KY)	Porter	Torricelli
Lightfoot	Portman	Towns
Lincoln	Poshard	Trafficant
Linder	Pryce	Tucker
Lipinski	Quillen	Upton
Livingston	Quinn	Velazquez
LoBiondo	Radanovich	Vento
Lofgren	Rahall	Visclosky
Longley	Ramstad	Volkmer
Lowey	Rangel	Vucanovich
Lucas	Reed	Waldholtz
Luther	Regula	Walker
Maloney	Richardson	Walsh
Manton	Riggs	Wamp
Manzullo	Rivers	Ward
Markey	Roberts	Watts (OK)
Martinez	Roemer	Waxman
Martini	Rogers	Weldon (FL)
Mascara	Rohrabacher	Weldon (PA)
Matsui	Ros-Lehtinen	Weller
McCarthy	Rose	White
McCollum	Roth	Whitfield
McCrery	Roukema	Wicker
McDade	Roybal-Allard	Williams
McHale	Royce	Wilson
McHugh	Rush	Wise
McInnis	Sabo	Wolf
McIntosh	Salmon	Woolsey
McKeon	Sanders	Wyden
McKinney	Sanford	Wynn
McNulty	Sawyer	Yates
Meehan	Saxton	Young (AK)
Meek	Scarborough	Young (FL)
Menendez	Schaefer	Zeliff
Metcalf	Schiff	Zimmer

NOES—14

Abercrombie	Gonzalez	Stark
Conyers	Johnston	Stupak
Dellums	Kennedy (RI)	Waters
Dingell	McDermott	Watt (NC)
Fattah	Mink	

NOT VOTING—12

Ackerman	Dickey	Payne (NJ)
Armey	Ewing	Pelosi
Brown (CA)	Frost	Reynolds
Chapman	Kolbe	Shuster

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

§57.28 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. CLINGER, by unanimous consent,

Ordered, That in the engrossment of the foregoing bill, the Clerk be authorized to correct section numbers, punctuation, cross references, and to make other technical corrections.

§57.29 MESSAGE FROM THE PRESIDENT

A further message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

§57.30 MESSAGE FROM THE PRESIDENT—
ENVIRONMENTAL QUALITY

The SPEAKER pro tempore, Mr. RADANOVICH, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

The United States has always been blessed with an abundance of natural resources. Together with the ingenuity and determination of the American people, these resources have formed the basis of our prosperity. They have given us the opportunity to feed our people, power and industry, create our medicines, and defend our borders—and we have a responsibility to be good stewards of our heritage. In recent decades, however, rapid technological advances and population growth have greatly enhanced our ability to have an impact on our surroundings—and we do not always pause to contemplate the consequences of our actions. Far too often, our short-sighted decisions cause the greatest harm to the very people who are least able to influence them—future generations.

We have a moral obligation to represent the interests of those who have no voice in today's decisions—our children and grandchildren. We have a responsibility to see that they inherit a productive and livable world that allows their families to enjoy the same or greater opportunities than we ourselves have enjoyed. Those of us who still believe in the American Dream will settle for no less. Those who say that we cannot afford both a strong economy and a healthy environment are ignoring the fact that the two are inextricably linked. Our economy will not remain strong for long if we continue to consume renewable resources faster than they can be replenished, or nonrenewable resources faster than we can develop substitutes; America's fishing and timber-dependent communities will not survive for long if we destroy our fisheries and our forests. Whether the subject is deficit spending or the stewardship of our fisheries, the issue is the same: we should not pursue a strategy of short-term gain that will harm future generations.

Senators Henry Jackson and Ed Muskie, and Congressman John Dingell understood this back in 1969 when they joined together to work for passage of the National Environmental Policy Act. At its heart, the National Environmental Policy Act is about our rela-

tionship with the natural world, and about our relationship with future generations. For the first time, the National Environmental Policy Act made explicit the widely-held public sentiment that we should live in harmony with nature and make decisions that account for future generations as well as for today. It declared that the Federal Government should work in concert with State and local governments and the citizens of this great Nation "to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans."

Over the past 25 years, America has made great progress in protecting the environment. The air is cleaner in many places than it was, and we no longer have rivers that catch on fire. And yet, this year in Milwaukee, more than 100 people died from drinking contaminated water, and many of our surface waters are still not fit for fishing and swimming. One in four Americans still lives near a toxic dump and almost as many breathe air that is unhealthy.

In order to continue the progress that we have made and adequately provide for future generations, my Administration is ushering in a new era of common sense reforms. We are bringing together Americans from all walks of life to find new solutions to protect our health, improve our Nation's stewardship of natural resources, and provide lasting economic opportunities for ourselves and for our children. We are reinventing environmental programs to make them work better and cost less.

My Administration is ushering in a new era of environmental reforms in many ways. Following is a description of a few of these reforms, grouped into three clusters: first, stronger and smarter health protection programs such as my proposed Superfund reforms and EPA's new common sense approach to regulation; second, new approaches to resource management, such as our Northwest forest plan, that provide better stewardship of our natural resources and sustained economic opportunity; and third, the promotion of innovative environmental technologies, for healthier air and water as well as stronger economic growth now and in the future.

Stronger and Smarter Health Protection Programs. Throughout my Administration, we have been refining Government, striving to make it work better and cost less. One of the best places to apply this principle in the environmental arena is the Superfund program. For far too long, far too many Superfund dollars have been spent on lawyers and not nearly enough have been spent on clean-up. I've directed my Administration to reform this program by cutting legal costs, increasing community involvement, and cleaning up toxic dumps more quickly. The reformed Superfund program will be faster, fairer, and more efficient—and it

will put more land back into productive community use.

Similarly, EPA is embarking on a new strategy to make environmental and health regulation work better and cost less. This new common sense approach has the potential to revolutionize the way we write environmental regulations. First, EPA will not seek to adopt environmental standards in a vacuum. Instead, all the affected stakeholders—representatives of industry, labor, State governments, and the environmental community—will be involved from the beginning. Second, we will replace one-size-fits-all regulations with a focus on results achieved with flexible means. And at last, we're taking a consistent, comprehensive approach. With the old piecemeal approach, the water rules were written in isolation of the air rules and the waste rules, and too often led to results that merely shuffled and shifted pollutants—results that had too little health protection at too great a cost. With its new commonsense approach, EPA will address the full range of environmental and health impacts of a given industry—steel or electronics for example—to get cleaner, faster, and cheaper results.

Better Stewardship of our Natural Resources. Just as representative of our new approach to the environment—and just as grounded in common sense—is the Administration's commitment to ecosystems management of the Nation's natural resources. For decades ecologists have known that what we do with one resource affects the others. For instance, the way we manage a forest has very real consequences for the quality of the rivers that run through the forest, very real consequences for the fishermen who depend on that water for their livelihood, and very real consequences for the health of the community downstream. But until recently, government operations failed to account adequately for such interaction. In many cases, several Federal agencies operated independently in the same area under different rules. In many cases, no one paused to ponder the negative consequences of their actions until it was too late.

Often, these consequences were catastrophic, leading to ecological and economic train wrecks such as the collapse of fisheries along the coasts, or the conflict over timber cutting in the Pacific Northwest. When I convened the Forest Conference earlier this year I saw the devastating effects of the Federal Government's lack of foresight and failure to provide leadership. Here, perhaps more than anywhere else, is a case study in how a failure to anticipate the consequences of our actions on the natural environment can be devastating to our livelihood in the years ahead. Our forest plan is a balanced and comprehensive program to put people back to work and protect ancient forests for future generations. It will not solve all of the region's problems but it is a strong first step at restoring

both the long-term health of the region's ecosystem and the region's economy.

Innovative Environmental Technologies. Environmental and health reforms such as EPA's common sense strategy and natural resource reforms such as the forest plan provide an opportunity, and an obligation, to make good decisions for today that continue to pay off for generations to come. In much the same way, sound investments in environmental technology can ensure that we leave to future generations a productive, livable world. Every innovation in environmental technology opens up a new expanse of economic and environmental possibilities, making it possible to accomplish goals that have eluded us in the past. From the very beginning, I have promoted innovative environmental technologies as a top priority. We've launched a series of environmental technology initiatives, issued a number of Executive orders to help spur the application of these technologies, and taken concrete steps to promote their export. Experts say the world market for environmental technology is nearly \$300 billion today and that it may double by the year 2000. Every dollar we invest in environmental technology will pay off in a healthier environment worldwide, in greater market share for U.S. companies, and in more jobs for American workers.

Innovations in environmental technology can be the bridge that carries us from the threat of greater health crises and ecological destruction toward the promise of greater economic prosperity and social well-being. Innovation by innovation, we can build a world transformed by human ingenuity and creativity—a world in which economic activity and the natural environment support and sustain one another.

This is the vision that Jackson, Muskie, and Dingell articulated more than two decades ago when they wrote in the National Environmental Policy Act that we should strive to live in productive harmony with nature and seek to fulfill the social and economic needs of future generations. We share a common responsibility to see beyond the urgent pressures of today and think of the future. We share a common responsibility to speak for our children, so that they inherit a world filled with the same opportunity that we had. This is the vision for which we work today and the guiding principle behind my Administration's environmental policies.

WILLIAM J. CLINTON.

THE WHITE HOUSE, April 6, 1995.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Resources.

¶57.31 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. FROST, for today and April 7.

And then,

57.32 ADJOURNMENT

On motion of Mr. SANDERS, pursuant to the special order heretofore agreed to, at 9 o'clock and 10 minutes p.m., the House adjourned until 11 o'clock a.m. on Friday, April 7, 1995.

57.33 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BLILEY: Committee on Commerce, H.R. 483. A bill to amend title XVIII of the Social Security Act to permit Medicare select policies to be offered in all States, and for other purposes; with an amendment (Rept. No. 104-79 Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROBERTS: Committee on Agriculture H.R. 618. A bill to extend the authorization for appropriations for the Commodity Futures Trading Commission through fiscal year 2000 (Rept. No. 104-104). Referred to the Committee of the Whole House on the State of the Union.

57.34 PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. THOMAS:

H.R. 1421. A bill to provide that references in the statutes of the United States to any committee or officer of the House of Representatives the name or jurisdiction of which was changed as part of the reorganization of the House of Representatives at the beginning of the 104th Congress shall be treated as referring to the currently applicable committee or officer of the House of Representatives; considered and passed.

By Mr. BARRETT of Wisconsin:

H.R. 1422. A bill to amend the Job Training Partnership Act to provide for employment and training assistance for certain individuals employed at a facility at which the employer has made a public announcement that a substantial member of employees will be terminated or laid off from employment; to the Committee on Economic and Educational Opportunities.

By Mr. BROWN of California (for himself and Mr. TORRICELLI):

H.R. 1423. A bill to amend the Federal Meat Inspection Act and the Poultry Products Inspection Act to provide for improved public health and food safety through the reduction in meat and poultry of harmful substances that present a threat to public health, and for other purposes; to the Committee on Agriculture.

By Mr. STEARNS:

H.R. 1424. A bill to provide Americans with secure, portable health insurance benefits through tax credits, medical savings accounts, and greater choice of health insurance plans without mandates, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Commerce, the Judiciary, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BURTON of Indiana (for himself, Mr. TORRICELLI, Mr. COX, Mr. FLAKE, Mr. ROHRBACHER, Mr. MORAN, Mr. KING, Mr. JEFFERSON, Mr. HUNTER, Mr. REYNOLDS, Mr. DIAZ-BALART, Mr. CONDIT, Mr. FIELDS of Texas, Mr. TOWNS, Mr. DOOLITTLE,

Mr. ABERCROMBIE, Mr. POMBO, Mr. PETERSON of Minnesota, Mr. CUNNINGHAM, Mr. LIPINSKI, Mr. CRANE, Mr. HERGER, Mrs. WALDHOLTZ, Mr. BARTLETT of Maryland, Mr. FUNDERBURK, Mr. HASTINGS of Washington, Mr. JONES, Mr. CALVERT, Mr. STOCKMAN, Mr. PETE GEREN of Texas, and Mr. WILSON):

H.R. 1425. A bill to suspend United States development assistance for India unless the President certifies to the Congress that the Government of India has taken certain steps to prevent human rights abuses in India; to the Committee on International Relations.

By Mr. CLAY (for himself and Mr. WILLIAMS):

H.R. 1426. A bill to assist States and secondary and postsecondary schools to develop, implement, and improve school-to-work opportunities systems so that all students have an opportunity to acquire the knowledge and skills needed to meet challenging State academic standards and industry-based skill standards and to prepare for postsecondary education, further learning, and a wide range of opportunities in high-skill, high-wage careers, and for other purposes; to the Committee on Economic and Educational Opportunities.

By Mr. COSTELLO:

H.R. 1427. A bill to amend the Federal Election Campaign Act of 1971 to control House of Representatives campaign spending, and for other purposes; to the Committee on House Oversight.

By Mr. DE LA GARZA:

H.R. 1428. A bill entitled, "The North American Border Stations Improvements Act"; to the Committee on Transportation and Infrastructure.

By Mr. EVANS (for himself, Mr. GUTIERREZ, Mr. KENNEDY of Massachusetts, Mr. WILLIAMS, and Mr. DOYLE):

H.R. 1429. A bill to amend title 38, United States Code, to provide for the organization and administration of the Readjustment Counseling Service of the Department of Veterans Affairs, to improve eligibility for veterans' readjustment counseling and related counseling, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. FARR (for himself, Mr. DOOLITTLE, Ms. PELOSI, Mr. POMBO, Ms. ESHOO, Mr. HERGER, Mr. FAZIO of California, Mrs. SEASTRAND, Mr. BROWN of California, Mr. RADANOVICH, Mr. ROSE, Mr. DOOLEY, and Mr. CALVERT):

H.R. 1430. A bill to authorize the Secretary of Agriculture to provide emergency financial assistance to agricultural producers who suffer severe crop losses in federally designated disaster areas; to the Committee on Agriculture.

By Mr. FLANAGAN:

H.R. 1431. A bill to amend the Internal Revenue Code of 1986 to repeal the 30-percent of gross income limitations applicable to regulated investment companies; to the Committee on Ways and Means.

By Mr. GREENWOOD:

H.R. 1432. A bill to amend the Federal Election Campaign Act of 1971 to eliminate multicandidate political committees, and for other purposes; to the Committee on House Oversight.

By Mr. HAYES (for himself and Mr. BALLENGER):

H.R. 1433. A bill to require the Secretary of Labor to establish a program under which employers may consult with State officials respecting compliance with occupational safety and health requirements; to the Committee on Economic and Educational Opportunities.

By Mr. HOUGHTON (for himself and Mr. LEVIN):

H.R. 1434. A bill to establish a commission to review the dispute settlement reports of the World Trade Organization, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEWIS of Georgia:

H.R. 1435. A bill to amend the Internal Revenue Code of 1986 to permit the use of certain agricultural byproducts in wine production; to the Committee on Ways and Means.

By Mr. LIPINSKI (for himself and Mr. MINETA) (both by request):

H.R. 1436. A bill to amend subtitle IV of title 49, United States Code, to eliminate unnecessary regulation of transportation industries, to streamline regulation of rail carriers, to sunset the Interstate Commerce Commission, and for other purposes; to the Committee on Transportation and Infrastructure.

H.R. 1437. A bill to authorize appropriations for the National Railroad Passenger Corporation, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. LOWEY (for herself, Ms. DELAURO, Mr. GEJDENSON, Mrs. KENNELLY, Mr. BONIOR, Mr. YATES, Mr. MILLER of California, Mr. FRANK of Massachusetts, Mr. ACKERMAN, Mr. ENGEL, Mr. MANTON, Mr. SERRANO, Ms. ESHOO, Mr. FILNER, Ms. PELOSI, Ms. WOOLSEY, Ms. FURSE, Mr. REED, Mr. TORRES, Ms. HARMAN, Ms. NORTON, Mr. PALLONE, Mr. MCDERMOTT, Mr. TOWNS, Mr. WAXMAN, Ms. WATERS, Mr. DICKS, Mr. VENTO, Mr. WYNN, Mr. GONZALEZ, Ms. VELAZQUEZ, Mr. JOHNSTON of Florida, Mr. MARTINEZ, Mr. MARKEY, Mr. BERMAN, Mr. HINCHEY, Mr. ROMERO-BARCELO, and Mr. FALEOMAVAEGA):

H.R. 1438. A bill to amend the Federal Water Pollution Control Act to provide special funding to States for implementation of national estuary conservation and management plans, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. METCALF:

H.R. 1439. A bill to amend the National Forest Management Act of 1976 to require the Timber Sale Program conducted by the Forest Service on National Forest System lands to be financed only by receipts from the sale of timber under the program; to the Committee on Agriculture, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MINETA (by request):

H.R. 1440. A bill to amend title 49, United States Code, to simplify and improve the organization of the Department of Transportation, and for other purposes; to the Committee on Transportation and Infrastructure.

H.R. 1441. A bill to provide for the transfer of operating responsibility for air traffic services currently provided by the Federal Aviation Administration on behalf of the United States to separate corporate entity, in order to provide for more efficient operation and development of these transportation services and related assets, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Ways and Means, and

the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MINGE (for himself, Mrs. MEYERS of Kansas, Mr. DEFAZIO, and Mrs. FOWLER):

H.R. 1442. A bill to amend the Internal Revenue Code of 1986 to allow individuals to designate any portion of their income tax overpayments, and to make other contributions, for deficit reduction; to the Committee on Ways and Means.

By Mr. MOORHEAD (for himself, Mr. SENSENBRENNER, Mr. COBLE, Mr. GOODLATTE, Mr. BONO, Mr. GALLEGLY, and Mr. CANADY):

H.R. 1443. A bill to amend chapter 44 of title 28, United States Code, to provide for arbitration in all U.S. district courts, and for other purposes; to the Committee on the Judiciary.

By Mr. MARKEY (for himself, Mr. BROWN of California, Mrs. JOHNSON of Connecticut, Mr. PALLONE, Mrs. KENNELLY, Mr. DELLUMS, Mr. FRANK of Massachusetts, Mr. OLVER, and Mr. STUDDS):

H.R. 1444. A bill to amend the Solid Waste Disposal Act to require a refund value for certain beverage containers, and to provide resources for State pollution prevention and recycling programs, and for other programs; to the Committee on Commerce.

By Mr. MOORHEAD (for himself, Mrs. SCHROEDER, Mr. COBLE, and Mr. CANADY):

H.R. 1445. A bill to amend rule 30 of the Federal Rules of Civil Procedure to restore the stenographic preference for depositions; to the Committee on the Judiciary.

By Mr. MOORHEAD:

H.R. 1446. A bill to amend the Revised Statutes of the United States to promote equity and fairness in lawsuits brought against State and local law enforcement officers; to the Committee on the Judiciary.

By Mr. NEAL (for himself, Mr. BLUTE, Mr. KENNEDY of Rhode Island, and Mr. REED):

H.R. 1447. A bill to revise the boundaries of the Blackstone River Valley National Heritage Corridor in Massachusetts and Rhode Island, and for other purposes; to the Committee on Resources.

By Ms. PRYCE (for herself, Mr. SOLOMON, and Mr. BURTON of Indiana):

H.R. 1448. A bill to amend the Indian Child Welfare Act of 1978 to require that determinations regarding status as an Indian child and as a member of an Indian tribe be prospective from the date of birth of the child and of tribal membership of the member, and for other purposes; to the Committee on Resources.

By Mr. ROBERTS (for himself and Mrs. MEYERS of Kansas):

H.R. 1449. A bill to provide for the establishment of the Tallgrass Prairie National Preserve in Kansas, and for other purposes; to the Committee on Resources.

By Mr. ROEMER (for himself, Mr. KLUG, and Mr. CHRYSLER):

H.R. 1450. A bill to eliminate certain activities from the functions performed by the National Weather Service, and for other purposes; to the Committee on Science.

By Mr. ROHRABACHER (for himself and Mr. HAMILTON):

H.R. 1451. A bill to provide authority for the extension of nondiscriminatory (most-favored-nation) trade treatment to Cambodia; to the Committee on Ways and Means.

By Mr. ROSE (for himself, Mr. CLAY, Mr. LIPINSKI, Mrs. MINK of Hawaii, Mr. PICKETT, Mr. RAHALL, Mr. SANDERS, Mr. QUILLEN, and Mr. EMERSON):

H.R. 1452. A bill to amend the Harmonized Tariff Schedule of the United States to clarify that certain footwear assembled in beneficiary countries is excluded from duty-free treatment, and for other purposes; to the Committee on Ways and Means.

By Mr. SOLOMON:

H.R. 1453. A bill to amend the Internal Revenue Code of 1986 to deny tax-exempt status to organizations which promote the legalization of certain drugs; to the Committee on Ways and Means.

By Mr. STARK:

H.R. 1454. A bill to require the Federal Trade Commission to issue a trade regulation rule which requires the release of prescriptions for contact lenses; to the Committee on Commerce.

By Mr. STARK (for himself, Mr. HANSEN, Mr. DURBIN, Mr. COYNE, Ms. PELOSI, Mr. LEWIS of Georgia, Mr. LIPINSKI, Mr. MORAN, Mr. OBERSTAR, Mrs. COLLINS of Illinois, and Mr. EVANS):

H.R. 1455. A bill to amend the Internal Revenue Code of 1986 to increase the tax on tobacco products, and for other purposes; to the Committee on Ways and Means.

By Mr. STARK (for himself, Mr. WAXMAN, and Mr. MCDERMOTT):

H.R. 1456. A bill to amend title XVIII of the Social Security Act to provide expanded coverage of mental health and substance abuse treatment services under the Medicare Program; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STARK (for himself and Mr. KLECZKA):

H.R. 1457. A bill to amend the Internal Revenue Code of 1986 and the Social Security Act to provide tax benefits with respect to long-term care insurance contracts that satisfy certain requirements; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STUMP (for himself, Mr. MONTGOMERY, Mr. BURTON of Indiana, Mr. PARKER, Mr. TRAFICANT, and Mr. BILIRAKIS):

H.R. 1458. A bill to provide for the award of the Purple Heart to persons held as prisoners of war before April 25, 1962, on the same basis as persons held as prisoners of war after that date; to the Committee on National Security.

By Mr. THOMPSON (for himself, Mr. HILLIARD, Mr. JEFFERSON, Mr. MONTGOMERY, Ms. JACKSON-LEE, Mr. FIELDS of Louisiana, and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 1459. A bill to increase the supply of minority scientists and help meet the research and development needs of the public and private sectors of the United States; to the Committee on Science.

By Mr. TORRICELLI (for himself, Mr. GILMAN, Mr. LANTOS, Mr. GEJDENSON, Mr. SOLOMON, Mr. ACKERMAN, Mr. ROHRABACHER, Mr. FALEOMAVAEGA, Mr. BROWN of Ohio, Mr. DEUTSCH, and Ms. PELOSI):

H.R. 1460. A bill to amend the Taiwan Relations Act to permit visits to the United States by the elected leaders of the people of Taiwan or their elected representatives; to the Committee on International Relations.

By Mr. UPTON (for himself and Mr. BROWN of Ohio):

H.R. 1461. A bill to amend the Public Health Service Act to eliminate the incentives that lead to increased prices and utilization of clinical laboratory diagnostic testing services and other ancillary health services; to the Committee on Commerce.

By Mr. WAXMAN (for himself, Mr. UPTON, Mr. DINGELL, Mr. ABERCROMBIE, Mr. ANDREWS, Mr. COYNE, Mr. DEUTSCH, Mr. DIXON, Mr. FRANK of Massachusetts, Mr. GREENWOOD, Mr. KLECZKA, Ms. LOWEY, Mr. MARKEY, Mr. MCDERMOTT, Mr. MILLER of California, Mrs. MINK of Hawaii, Mrs. MORELLA, Mr. OBERSTAR, Mr. PALLONE, Mr. PASTOR, Mr. SISISKY, Mr. STUDDS, Mr. TOWNS, and Ms. WOOLSEY):

H.R. 1462. A bill to amend the Public Health Service Act to provide for programs of research regarding Parkinson's disease, and for other purposes; to the Committee on Commerce.

By Mr. WOLF (for himself and Mr. DAVIS):

H.R. 1463. A bill to provide for the adoption of mandatory standards and procedures governing the actions of arbitrators in the arbitration of labor disputes involving transit agencies operating in the National Capital area; to the Committee on Transportation and Infrastructure.

By Mr. YOUNG of Alaska:

H.R. 1464. A bill to amend title 39, United States Code, to require the Postal Service to accept a change-of-address order from a commercial mail receiving agency and to forward mail to the new address; to the Committee on Government Reform and Oversight.

By Mr. ZELIFF:

H.R. 1465. A bill to amend the Magnuson Fishery Conservation and Management Act to establish additional prohibitions against removing, damaging, tampering with, or moving fishing gear and fish, including gear and fish from aquaculture operations in the exclusive economic zone; to the Committee on Resources.

By Mr. GOSS:

H. Con. Res. 58. Concurrent resolution providing for the adjournment of the two Houses; considered and agreed to.

By Mr. LANTOS:

H. Con. Res. 59. Concurrent resolution expressing the sense of the Congress that the Government of the United States should encourage resumption of direct, bilateral talks between India and Pakistan at the earliest possible time; to the Committee on International Relations.

By Mr. ROSE (for himself and Mr. GILMAN):

H. Con. Res. 60. Concurrent resolution commending India for its commitment to religious pluralism and tolerance; to the Committee on International Relations.

By Mr. MILLER of California (for himself, Ms. DELAUNO, Mr. FROST, Mr. LIPINSKI, Ms. PELOSI, Mr. POSHARD, Mrs. SCHROEDER, Mr. VENTO, and Mr. CLAY):

H. Res. 132. Resolution amending the Rules of the House of Representatives to provide for disclosure of the source of amendments, measures, and committee reports; to the Committee on Rules.

By Mrs. SCHROEDER:

H. Res. 133. Resolution amending the Rules of the House of Representatives to require that reports from the Committee on Ways and Means accompanying revenue bills with targeted tax benefits clearly identify those benefits; to the Committee on Rules.

By Mrs. WALDHOLTZ (for herself, Mr. BARRETT of Wisconsin, Mr. SHAYS, Mr. MINGE, Mr. KLUG, Mr. DEAL of Georgia, Mr. CASTLE, Mr. MCHALE, and Mr. DICKEY):

H. Res. 134. Resolution to amend the Rules of the House of Representatives concerning the receipt of gifts from lobbyists and other persons; to the Committee on Standards of Official Conduct.

¶57.35 MEMORIALS

Under clause 4 of rule XXII,

41. The SPEAKER presented a memorial of the Legislature of the State of Oregon, relative to Federal mandates on States; to the Committee on the Judiciary.

¶57.36 PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GILCHREST:

H.R. 1466. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade and fisheries for each of the vessels *Sallie D* and *Memory Maker*; to the Committee on Transportation and Infrastructure.

By Mr. LIPINSKI:

H.R. 1467. A bill for the relief of Leland E. Person; to the Committee on Veterans' Affairs.

¶57.37 ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 65: Mr. ANDREWS.
H.R. 70: Mrs. VUCANOVICH and Mr. TORKIL-
DSEN.

H.R. 103: Mr. COLLINS of Georgia, Mr. SAW-
YER, Mr. SHAW, Mr. TALENT, Mr. BONO, and
Mr. VENTO.

H.R. 127: Ms. HARMAN, Mr. HALL of Texas,
Mr. FIELDS of Louisiana, and Mr. WAXMAN.

H.R. 218: Mrs. KELLY.

H.R. 311: Ms. NORTON Mr. SHAYS, Mr.
GEJDENSON, Mr. WYDEN, and Ms. RIVERS.

H.R. 329: Mr. PACKARD.

H.R. 333: Mr. MINETA.

H.R. 359: Mr. CHAMBLISS, Mr. McHALE, and
Mrs. FOWLER.

H.R. 367: Mr. RANGEL.

H.R. 427: Mr. SKEEN, Mr. UPTON, Mrs.
CHENOWETH, and Mr. STOCKMAN.

H.R. 436: Mr. PASTOR, Mr. PETRI, and Mr.
COOLEY.

H.R. 468: Mr. HAMILTON.

H.R. 549: Mr. HAMILTON.

H.R. 553: Mr. MFUME.

H.R. 592: Mrs. FOWLER.

H.R. 616: Mrs. MEEK of Florida, Mr. FROST,
Mr. LIPINSKI, Mr. THOMPSON, Mr. UNDER-
WOOD, Ms. NORTON, Mr. JEFFERSON, Mr.
SCHUMER, Mr. DELLUMS, Mr. TUCKER, Mr.
BISHOP, Mr. RUSH, Mr. FORD, Mr. WATT of
North Carolina, Mr. OWENS, Mr. FIELDS of
Louisiana, Ms. MCKINNEY, Mr. CLYBURN, Mr.
SCOTT, Ms. JACKSON-LEE, and Mr. LEWIS of
Georgia.

H.R. 638: Mr. MENENDEZ.

H.R. 676: Mr. FATTAH.

H.R. 677: Mr. LEWIS of Georgia.

H.R. 700: Mrs. MYRICK, Mr. SHAW, Mr. LIN-
DER, Mr. BROWNBAC, Mr. HOSTETTLER, Mr.
ENGLISH of Pennsylvania, Mr. PAXON, Mr.
BAKER of California, and Mr. SCARBOROUGH.

H.R. 713: Ms. MCCARTHY, Mr. MANTON, and
Mrs. MINK of Hawaii.

H.R. 727: Mr. HINCHEY.

H.R. 733: Mr. SAWYER.

H.R. 734: Mr. SAWYER.

H.R. 739: Mr. CALVERT and Mrs. MEYERS of
Kansas.

H.R. 743: Mr. GRAHAM and Mr. SOUDER.

H.R. 752: Mrs. WALDHOLTZ, Mr. BURTON of
Indiana, Mr. STOCKMAN, Mr. CHAMBLISS, and
Mr. YOUNG of Florida.

H.R. 761: Mr. RANGEL.

H.R. 795: Mrs. SMITH of Washington.

H.R. 798: Mr. McDERMOTT, Mr. SERRANO,
Mrs. THURMAN, Mr. FROST, Mr. GENE GREEN
of Texas, Mr. JEFFERSON, Ms. RIVERS, Mrs.
SCHROEDER, Mr. THOMPSON, and Mr. ROMERO-
BARCELO.

H.R. 820: Mr. MORAN.

H.R. 822: Mrs. CHENOWETH and Mr. LUTHER.

H.R. 844: Mr. MINGE.

H.R. 850: Mr. FOX.

H.R. 896: Mr. ACKERMAN and Mr. LEWIS of
Georgia.

H.R. 899: Mr. DREIER, Mr. WICKER, Mr.
LEWIS of Kentucky, Mr. SOLOMON, Mr. MICA,
Mr. EMERSON, Mr. SPENCE, Mr. CALVERT, Mr.
HILLEARY, Mr. BARTLETT of Maryland, Mrs.
VUCANOVICH, Mr. BEREUTER, Mr. CHAPMAN.

H.R. 924: Mr. BOEHLERT and Ms. HARMAN.

H.R. 991: Mr. ROHRABACHER.

H.R. 1010: Mr. BEILENSEN, Mr. DELLUMS,
Mr. DICKEY, Mr. PALLONE, Mr. MENENDEZ,
Mr. FRANK of Massachusetts, Mr. FILNER,
and Mr. PETRI.

H.R. 1018: Mrs. FOWLER.

H.R. 1020: Mr. FRISA.

H.R. 1023: Mr. ROMERO-BARCELO and Mr.
FRANK of Massachusetts.

H.R. 1028: Mr. UPTON and Mr. SKEEN.

H.R. 1044: Mr. FIELDS of Texas.

H.R. 1079: Mr. McDADE, Mr. PALLONE, Mr.
ROMERO-BARCELO, Mr. TORRES, Mr. FROST,
Mrs. MINK of Hawaii, Mr. BAKER of Lou-
isiana, Mr. BISHOP, Mr. YATES, Mr. POSHARD,
Mr. TRAFICANT, Mr. STOKES, Mrs. COLLINS of
Illinois, Mr. COSTELLO, Mr. BRYANT of Texas,
Mr. PASTOR, Mr. DUNCAN, Mr. FILNER, Mr.
BORSKI, Mr. FRAZER, and Mr. TUCKER.

H.R. 1085: Mr. HINCHEY.

H.R. 1103: Mrs. SEASTRAND and Mr. COOLEY.
H.R. 1129: Mr. BEVILL, Mr. BONIOR, Ms.
NORTON, Mr. MARKEY, Mrs. MINK of Hawaii,
and Mr. WAXMAN.

H.R. 1143: Mr. SAXTON.

H.R. 1144: Mr. SAXTON.

H.R. 1145: Mr. SAXTON.

H.R. 1173: Mr. GOODLATTE.

H.R. 1191: Mr. LUTHER.

H.R. 1210: Mr. DIAZ-BALART.

H.R. 1220: Mr. NETHERCUTT, Mr. FUNDER-
BURK, Mr. THORNBERRY, Mr. COMBEST, Mr.
DOOLITTLE, Mr. MCINTOSH, Mr. PACKARD, and
Mr. JONES.

H.R. 1235: Mr. HOEKSTRA, Mr. ACKERMAN,
Mr. COX, and Mr. ROHRABACHER.

H.R. 1242: Mr. LAHOOD.

H.R. 1252: Mr. SENSENBRENNER and Mr.
MINGE.

H.R. 1288: Mr. BURTON of Indiana, Mr. ROB-
ERTS, Mr. MYERS of Indiana, Mr.
HOSTETTLER, Mr. SOUDER, and Mr. MCINTOSH.

H.R. 1300: Mr. COBLE, Mrs. CLAYTON, Mr.
STENHOLM, Mr. HEINEMAN, Mr. GOODLATTE,
Mr. KLUG, and Mr. FUNDERBURK.

H.R. 1309: Mr. DIAZ-BALART and Mr. FIL-
NER.

H.R. 1316: Ms. MOLINARI.

H.R. 1329: Mr. BRYANT of Tennessee and Mr.
ROMERO-BARCELO.

H.R. 1339: Mr. EVANS.

H.R. 1378: Mr. MATSUI and Mr. KLECZKA.

H.R. 1397: Mr. WILSON.

H.J. Res. 61: Mr. SHAYS.

H.J. Res. 79: Mr. HAYES and Mr. INGLIS of
South Carolina.

H. Con. Res. 32: Mr. KING, Mr. FLAKE, Mr.
TUCKER, Mrs. WALDHOLTZ, Mr. MORAN, Mr.
TRAFICANT, Mr. FUNDERBURK, Mr. JONES, Mr.
SALMON, Mr. HOKE, Mr. REYNOLDS, and Mr.
COX.

H. Con. Res. 43: Mr. LUTHER and Ms.
SLAUGHTER.

H. Con. Res. 48: Mr. MEEHAN, Mr.
McDERMOTT, Mr. LEVIN, Mr. SCHUMER, Mr.
STEARNS, Mr. DOYLE, Mr. ROYCE, Mr. GENE
GREEN of Texas.

H. Con. Res. 54: Mr. ANDREWS.

H. Res. 30: Mr. BARTON of Texas, Mr. ABER-
CROMBIE, Mr. OBERSTAR, Mr. HAYES, Mr.
LEACH, Mr. INGLIS of South Carolina, Mr.
ROSE, Mr. NEAL of Massachusetts, Mr.
PORTMAN, Mr. CUNNINGHAM, Mr. BURR, Mr.
WAMP, and Mr. GRAHAM.

H. Res. 122: Mr. ACKERMAN, Mr. BALDACCI,
Mr. BOEHLERT, Mrs. COLLINS of Illinois, Ms.
DELAURO, Mr. DEUTSCH, Mr. FLAKE, Mr.

FROST, Mr. GONZALEZ, Mr. HOLDEN, Ms. JACK-
SON-LEE, Mr. MARKEY, Mr. PICKETT, Mr. RA-
HALL, Mr. VENTO, Mr. WISE, and Mr. WYDEN.

¶57.38 DELETIONS OF SPONSORS FROM
PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors
were deleted from public bills and reso-
lutions as follows:

H.R. 42: Mr. BONO, Mr. OBERSTAR, and Ms.
ROS-LEHTINEN.

H.R. 345: Mr. BREWSTER.

H.R. 555: Mr. FOLEY.

FRIDAY, APRIL 7, 1995 (58)

¶58.1 DESIGNATION OF SPEAKER PRO
TEMPORE

The House was called to order by the
SPEAKER pro tempore, Mr. BURTON,
laid before the House the following
communication:

WASHINGTON, DC,

April 7, 1995.

I hereby designate the Honorable DAN BUR-
TON to act as Speaker pro tempore on this
day.

NEWT GINGRICH,

Speaker of the House of Representatives.

¶58.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr.
BURTON, announced he had examined
and approved the Journal of the pro-
ceedings of Thursday, April 6, 1995.

Pursuant to clause 1, rule I, the Jour-
nal was approved.

¶58.3 COMMUNICATIONS

Executive and other communica-
tions, pursuant to clause 2, rule XXIV,
were referred as follows:

697. A letter from the Under Secretary of
Defense, transmitting the Secretary's Se-
lected Acquisition Reports [SARS] for the
quarter ending December 31, 1994, pursuant
to 10 U.S.C. 2432; to the Committee on Na-
tional Security.

698. A letter from the Secretary of Edu-
cation, transmitting a draft of proposed leg-
islation entitled, "Carl D. Perkins Career
Preparation Education Act;" to the Com-
mittee on Economic and Educational Oppor-
tunities.

699. A letter from the Secretary of Trans-
portation, transmitting a draft of proposed
legislation entitled, "Amtrak Restructuring
Act of 1995", pursuant to 31 U.S.C. 1110; to
the Committee on Transportation and Infra-
structure.

700. A letter from the Secretary of Trans-
portation, transmitting a draft of proposed
legislation entitled, "Interstate Commerce
Commission Sunset Act of 1995;" to the Com-
mittee on Transportation and Infrastruc-
ture.

¶58.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr.
Lundregan, one of its clerks, an-
nounced that the Senate had passed
without amendment a concurrent reso-
lution of the House of the following
title:

H. Con. Res. 58. Concurrent resolution pro-
viding for an adjournment of the two Houses.

The message also announced that the
Senate had passed with amendments in
which the concurrence of the House is
requested, bills of the House of the fol-
lowing titles: